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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 29—RETIREMENT

TIME FOR FILING APPLICATIONS; JOINT AND SURVIVORSHIP ANNUITIES

1. Section 29.4 is amended to read as follows:

§ 29.4 *Time for filing applications.* (a) An application for annuity on account of age or optional retirement may be filed shortly before or at any time after the employee reaches the requisite retirement age. If the department contemplates reemployment of the employee immediately following retirement, the application must be executed at least 60 days in advance of the separation date and submitted immediately to the Commission with a photo copy of Form 2806 or a complete resume of the employee's service history, salary, and retirement deductions.

(b) An application for immediate or deferred annuity on account of voluntary or involuntary separation from the service should not be filed before the employee's separation nor more than 30 days prior to the commencing date of annuity.

(c) An application for retirement on account of disability must be executed by the employee prior to the applicant's separation from the service or within 6 months thereafter. This time limitation may be waived by the Commission in the cases of employees who are found to have been mentally incompetent at date of separation or within 6 months thereafter, the application in each such case to be filed with the Commission within one year from the date of restoration of any such person to competency or the appointment of a fiduciary, whichever is the earlier. This time limitation may also be waived by the Commission in the cases of employees who at date of separation or within 6 months thereafter are receiving hospital treatment, the application in each such case to be filed with the Commission within 6 months after termination of such hospitalization. An employee whose disabling condition is essentially chronic, deteriorative, or progressive in nature and can reasonably be assumed to have existed at date of separation, may file application within one year after date of separation; should an employee have been separated under such conditions prior to August 8, 1949, he may file application within 6 months after that date.

Request or order by the department or other governmental agency for retirement of an employee for disability must be filed prior to the employee's separation from service. If application for retirement is submitted on an inappropriate form, or on an appropriate form inadequately or incompletely executed, such application may be accepted as an informal claim.

(d) An application by or on behalf of a survivor of a deceased employee or annuitant may be filed at any time after the death of the employee or annuitant.

2. Section 29.12 is amended to read as follows:

§ 29.12 *Joint and survivorship annuities.* (a) The option to receive joint and survivorship annuity may be exercised only by (1) a married employee retiring under any provision (except section 7) of the act of May 29, 1930, as amended, who may designate his or her wife or husband, or (2) an unmarried employee in good health retiring under any provision (except section 6 or 7) of the said act, who may designate a person having an insurable interest in him.

(b) Only a natural person may be designated as survivor annuitant under the joint and survivorship option. No more than one person may be named as survivor annuitant. The designation of a contingent survivor annuitant will not be accepted, and any such designation shall be null and void.

(c) Communication of the choice of option shall be made over the signature of the applicant on Standard Form 2801 for use in filing claim for annuity. Receipt of a communication as set forth in this paragraph shall constitute prima facie evidence of the existence of all the elements of an election. Whenever such prima facie evidence becomes conclusive by final adjudication of the claim by the Commission, an election shall have been made.

(Continued on p. 7005)

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FEDERAL REGISTER

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(d) In the event of death of the designated survivor annuitant or for other good cause shown prior to final adjudication of the claim by the Commission, a new survivor annuitant may be substituted or the employee may change his election of the type of annuity selected.

(e) In any case in which an election has been conclusively established pursuant to the regulations under this section, the election, including the designation of survivor annuitant, cannot be revoked or changed.

(f) The death of a designated survivor annuitant subsequent to the final adjudication of the claim, shall not operate to cancel the election, and payments to the former employee shall continue as though the death had not occurred.

(g) Where a married employee chooses the joint and survivorship plan, the annuity to the surviving widow or widower shall commence on the first day of the month in which the retired employee's death occurs or on the first day of the month following the widow's or widower's attainment of age 50, whichever is later. In case of an unmarried employee who takes the joint and survivorship option, the annuity to his survivor shall commence on the first day of the month in which the retired employee's death occurs.

(Sec. 17, 46 Stat. 478; 5 U. S. C. 709)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 49-9298; Filed, Nov. 18, 1949; 8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Orange Reg. 302]

PART 966—ORANGES GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.448 *Orange Regulation 302*—(a) *Findings.* (1) Pursuant to the provisions of Order No. 66, as amended, (7 CFR, Part 966; 14 F. R. 3614), regulating the handling of oranges grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said amended order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Orange Administrative Committee on November 17, 1949; such meeting was held, after giving due notice thereof, to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 20, 1949, and ending at 12:01 a. m., P. s. t., November 27, 1949, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1: No movement;

(*b*) Prorate District No. 2: Unlimited movement;

(*c*) Prorate District No. 3: No movement.

(ii) *Oranges other than Valencia oranges.* (*a*) Prorate District No. 1: 825 carloads;

(*b*) Prorate District No. 2: No movement;

(*c*) Prorate District No. 3: 125 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "varieties," "carloads," and "prorate base" shall have the same meaning as when used in the said amended order; and the terms "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as given to the respective term in § 966.107 of the current rules and regulations (14 F. R. 6588) contained in this part.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 7 CFR, Part 966; 14 F. R. 3614)

Done at Washington, D. C., this 18th day of November 1949.

[SEAL] C. F. KUNKEL,
Acting Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[12:01 a. m. Nov. 20, 1949, to 12:01 a. m. Nov. 27, 1949]

ALL ORANGES OTHER THAN VALENCIA ORANGES

Prorate District No. 1

Handler	Prorate base (percent)
Total	100.0000
A. F. G. Lindsay	2.1832
A. F. G. Porterville	2.0281
Ivanhoe Cooperative Association	.6191
Dofflemyer & Son, W. Todd	.5573
Earlibest Orange Association	1.7539
Elderwood Citrus Association	.9488
Exeter Citrus Association	3.1357
Exeter Orange Growers Association	1.2847
Exeter Orchards Association	1.4563
Hillside Packing Association	1.4218
Ivanhoe Mutual Orange Association	.9432
Klink Citrus Association	4.4035
Lemon Cove Association	1.7818
Lindsay Citrus Growers Association	2.7580
Lindsay Cooperative Citrus Association	1.4417
Lindsay Fruit Association	1.8350
Lindsay Orange Growers Association	1.0729
Naranjo Packing House Co	1.1139
Orange Cove Citrus Association	3.1377
Orange Cove Orange Growers Association	1.9287
Orange Packing Co	1.1563
Orosi Foothill Citrus Association	1.2651
Paloma Citrus Fruit Association	1.1517
Rocky Hill Citrus Association	.9542
Sanger Citrus Association	3.4342
Sequoia Citrus Association	.9611
Stark Packing Corp	2.0991
Visalia Citrus Association	1.8752
Waddell & Sons	1.9529
Butte County Citrus Association, Inc	.7222
Mills Orchards Co., James	.8082
Andrews Bros. of California	.3739
Baird Neece Corp	1.6894
Beattie, Association, D. A	.6298
Grand View Heights Citrus Association	2.5171
Magnolia Citrus Association	2.2388
Porterville Citrus Association	1.3077
Richgrove-Jasmine Citrus Association	1.5243
Sandilands Fruit Co	1.2534
Strathmore Cooperative Association	1.5348
Strathmore District Orange Association	1.7569
Strathmore Fruit Growers Association	1.1163
Strathmore Packing House Co	1.8719
Sunflower Packing Association	2.0051
Sunland Packing House Co	2.5724
Terra Bella Citrus Association	1.3454
Tule River Citrus Association	1.3384
Exeter Groves Packing Co., Inc	.1005
Kroells Packing Co	1.4728
Lindsay Mutual Groves	1.4356
Martin Ranch	1.6153
Webb Packing Co., Inc	.4767
Woodlake Packing House	2.5998
Anderson Packing Co	1.0069
Associated Growers Cooperative	.6221
Baker Brothers	.1247
Batkins, Jr., Fred A	.0504
California Citrus Groves, Inc., Ltd	2.2247
Chess Co., Meyer W	.4244
Crane, Gus	.0351

PRORATE BASE SCHEDULE—Continued

ALL ORANGES OTHER THAN VALENCIA ORANGES—continued

Prorate District No. 1—Continued

Handler	Prorate base (percent)
Darby, Fred J	0.0337
Dubendorf, John	.1673
Edison Groves Co	.6900
Furr, N. C	.2214
Ghianda Ranch	.0211
Harding & Leggett	1.6820
Kim, Chas	.0500
Lo Bue Bros	1.2240
Maas, W. A	.0674
Marks, W. & M	.6131
Moore Packing Co., Myron	.0674
Randolph Marketing Co., Inc	2.2728
Reimers, Don H	.3120
Rooke Packing Co., B. G	1.9663
Toy, Chin	.1255
Woodlake Heights Packing Corp	.4154
Zaninovich Bros., Inc	.6205

Prorate District No. 3

Total	100.0000
Allen & Allen Citrus Packing Co	2.2203
Consolidated Citrus Growers	14.8743
McKellips Phoenix Citrus Co., C. H	7.1996
Phoenix Citrus Packing Co	3.1330
Arizona Citrus Growers	15.9643
Chandler Heights Citrus Growers	1.4779
Desert Citrus Growers Co	6.1490
Mesa Citrus Growers	13.6879
Tal-Wi-Wi Ranch	.7023
Tempe Citrus Company	2.5277
Yuma Mesa Fruit Growers Association	.1517
Leppla-Henry Produce Co	11.6775
Maricopa Citrus Co	2.9038
Pioneer Fruit Co	6.9198
Clark & Sons, J. H	1.0042
Commercial Citrus Packing Co	3.3685
Dhuyvetter Bros	.4259
Ishikawa, Paul	.1600
Macchiaroli Fruit Co., James	.1572
Orange Belt Fruit Distributors	.0990
Potato House, The	2.4142
Valley Citrus Packing Co	2.7819

[F. R. Doc. 49-9415; Filed, Nov. 18, 1949; 11:22 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter D—Employment Taxes

[T. D. 5760]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

PART 405—COLLECTION OF INCOME TAX AT SOURCE ON OR AFTER JANUARY 1, 1945

USE OF FEDERAL RESERVE BANKS AND AUTHORIZED COMMERCIAL BANKS IN CONNECTION WITH PAYMENT OF TAXES

On September 23, 1949, notice of proposed rule making regarding the amendment of Regulations 106 and 116, with respect to the use of Federal Reserve banks and authorized commercial banks in connection with the payment of the taxes under the Federal Insurance Contributions Act and of the income tax collected at source on wages, was published in the FEDERAL REGISTER (14 F. R. 5807). After consideration of all relevant matter presented by interested persons regarding the proposed amendments, the following amendments are hereby adopted.

PARAGRAPH 1. Regulations 106 (26 CFR, Part 402) are amended as follows:

(A) By striking out the period at the end of § 402.201 (i) and by inserting in lieu thereof a comma and the following: "except that such term when used in § 402.607a includes also the income tax collected at source on wages under section 1622 of the Internal Revenue Code."

(B) By amending the last sentence of § 402.501 to read as follows: "Identification numbers assigned to employers shall be shown in their records, returns, and claims to the extent required by §§ 402.605, 402.607a, 402.609, and 402.704 and by the instructions relating to Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS-1a) and to Form 450."

(C) By inserting immediately preceding § 402.608 the following new section:

§ 402.607a *Use of Federal Reserve banks and authorized commercial banks in connection with payment of taxes with respect to wages paid on or after January 1, 1950*—(a) *In general.* Except as provided in paragraph (b) of this section, if during any calendar month after December 31, 1949, the aggregate amount of:

(1) The employees' tax withheld under section 1401,

(2) The employers' tax for such month under section 1410, and

(3) The income tax withheld at source on wages under section 1622,

of the Internal Revenue Code, exceeds $100 in the case of an employer, it will be the duty of such employer to deposit such amount within 15 days after the close of such calendar month with a Federal Reserve bank. The remittance of such amount shall be accompanied by a Federal Depositary Receipt (Form 450). Such depositary receipt shall be prepared in accordance with the instructions and regulations applicable thereto. The employer, at his election, may forward such remittance, together with such depositary receipt, to a commercial bank authorized in accordance with Treasury Department Circular No. 848 to accept remittances of the aforementioned taxes for transmission to a Federal Reserve bank. After the Federal Reserve bank has validated the depositary receipt, such depositary receipt will be returned to the employer. Every employer making deposits pursuant to this section shall attach to his return on Form 941 for the calendar quarter with respect to which such deposits are made, in part or full payment of the taxes shown thereon, depositary receipts so validated, and shall pay to the collector the balance, if any, of the taxes due for such quarter.

(b) *Payments for last month of the calendar quarter.* With respect to the taxes specified in paragraph (a) of this section for the last month of the calendar quarter, the employer may either include with his return direct remittance to the collector for the amount of such taxes or attach to such return a depositary receipt validated by a Federal Reserve bank as provided in paragraph (a) of this section. Payment of the taxes required to be reported on each return, in the form of validated depositary receipts or direct remittances, shall be made to the collector at the time fixed for filing such return. If a deposit is made for the last month of the quarter, the employer shall make it in ample time (whether before, on, or after the 15th day of the succeeding month) to enable the Federal Reserve bank to return the validated receipt to the employer so that it can be attached to and filed with the employer's return at the time so fixed.

(c) *Procurement of prescribed form.* Initially, Form 450, Federal Depositary Receipt, will so far as possible be furnished the employer by the collector. An employer not supplied with the proper form should make application therefor to the collector in ample time to have such form available for use in making his initial deposit within the time prescribed in paragraph (a) of this section. Thereafter a blank form will be sent to the employer by the Federal Reserve bank when returning the validated depositary receipt. An employer may secure additional forms from a Federal Reserve bank by applying therefor and advising the bank of his identification number. The employer's identification number and name, on each depositary receipt, should be the same as they are required to be shown on the combined quarterly tax return, Form 941, to be filed with the collector. The address of the employer, as shown on each depositary receipt, should be the address to which the receipt should be returned following validation by the Federal Reserve bank.

PAR. 2. Regulations 116 (26 CFR, Part 405) are amended as follows:

(A) By redesignating paragraph (d) of § 405.107 as paragraph (e).

(B) By inserting immediately after paragraph (c) of § 405.107 the following new paragraph:

(d) Identification number means the identifying number of an employer, assigned as the case may be, under the Federal Insurance Contributions Act or Title VIII of the Social Security Act, or by the collector in accordance with § 405.606 (c).

(C) By revising the heading of § 405.605, which section was amended by Treasury Decision 5644, approved July 14, 1948, to read as follows: *"Use of Government depositaries in connection with payment of taxes with respect to wages paid prior to January 1, 1950."*

(D) By inserting at the end of § 405.605, as amended by Treasury Decision 5644, the following sentence and section: "This section shall be applicable only with respect to wages paid prior to January 1, 1950."

§ 405.606 *Use of Federal Reserve banks and authorized commercial banks in connection with payment of taxes with respect to wages paid on or after January 1, 1950*—(a) *In general.* Except as provided in paragraph (b) of this section, if during any calendar month after December 31, 1949, the aggregate amount of:

(1) The employees' tax withheld under section 1401,

(2) The employers' tax for such month under section 1410, and

(3) The income tax withheld at source on wages under section 1622,

of the Internal Revenue Code, exceeds $100 in the case of an employer; it will be the duty of such employer to deposit such amount within 15 days after the close of such calendar month with a Federal Reserve bank. The remittance of such amount shall be accompanied by a Federal Depositary Receipt (Form 450). Such depositary receipt shall be prepared in accordance with the instructions and regulations applicable thereto. The employer, at his election, may forward such remittance, together with such depositary receipt, to a commercial bank authorized in accordance with Treasury Department Circular No. 848, to accept remittances of the aforementioned taxes for transmission to a Federal Reserve bank. After the Federal Reserve bank has validated the depositary receipt, such depositary receipt will be returned to the employer. Every employer making deposits pursuant to this section shall attach to his return on Form 941 for the calendar quarter with respect to which such deposits are made, in part or full payment of the taxes shown thereon, depositary receipts so validated, and shall pay to the collector the balance, if any, of the taxes due for such quarter.

(b) *Payments for last month of the calendar quarter.* With respect to the taxes specified in paragraph (a) of this section for the last month of the calendar quarter, the employer may either include with his return direct remittance to the collector for the amount of such taxes or attach to such return a depositary receipt validated by a Federal Reserve bank as provided in paragraph (a) of this section. Payment of the taxes required to be reported on each return, in the form of validated depositary receipts or direct remittances, shall be made to the collector at the time fixed for filing such return. If a deposit is made for the last month of the quarter, the employer shall make it in ample time (whether before, on, or after the 15th day of the succeeding month) to enable the Federal Reserve bank to return the validated receipt to the employer so that it can be attached to and filed with the employer's return at the time so fixed.

(c) *Procurement of prescribed form.* Initially, Form 450, Federal Depositary Receipt, will so far as possible be furnished the employer by the collector. An employer not supplied with the proper form should make application therefor to the collector in ample time to have such form available for use in making his initial deposit within the time prescribed in paragraph (a) of this section. Thereafter a blank form will be sent to the employer by the Federal Reserve bank when returning the validated depositary receipt. An employer may secure additional forms from a Federal Reserve bank by applying therefor and advising the bank of his identification number. (See § 405.107 (d).) The collector will assign an identification number to each employer who is not required either to withhold the employees' tax under section 1401 or to pay the employers' tax under section 1410. Every employer making deposits pursuant to this section shall make such use of his identification number as is prescribed by this section and by the instructions relating to Form 941 and to Form 450. The employer's identification number and name, on each depositary receipt, should be the same as they are required to be shown on the combined quarterly tax return, Form 941, to be filed with the collector. The address of the employer, as shown on each depositary receipt, should be the address to which the receipt should be returned following validation by the Federal Reserve bank.

(53 Stat. 178, 467; 26 U. S. C. 1429, 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 10, 1949.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 49-9266; Filed, Nov. 18, 1949; 8:46 a. m.]

[T. D. 5759]

PART 402—EMPLOYEES' TAX AND EMPLOYERS' TAX UNDER THE FEDERAL INSURANCE CONTRIBUTIONS ACT

PART 405—COLLECTION OF INCOME TAX AT SOURCE ON OR AFTER JANUARY 1, 1945

TAX-RETURN PERIODS COMMENCING AFTER DECEMBER 31, 1949, PRESCRIBING A COMBINED RETURN FOR REPORTING OF TAXES

On September 23, 1949, notice of proposed rule making regarding the amendment of Regulations 106 and 116 to prescribe a combined return for the reporting of the taxes under the Federal Insurance Contributions Act and the income tax collected at source on wages was published in the FEDERAL REGISTER (14 F. R. 5808). After consideration of all relevant matter presented by interested persons regarding the proposed amendments, the following amendments are hereby adopted:

PARAGRAPH 1. Section 402.501 of Regulations 106 is amended by striking out in the last sentence "Form SS–1a" and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS–1a)".

PAR. 2. Section 402.504 of Regulations 106 is amended as follows:

(A) By striking out in the first sentence of paragraph (a) "Form SS–1a" and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS–1a)".

(B) By adding after "Form SS–1a" in the fifth and sixth paragraphs of § 402.504 (a) the following: "or Form 941".

PAR. 3. Section 402.601 of Regulations 106 is amended by adding after the first sentence the following new sentence: "For quarters commencing after December 31, 1949, Form 941 shall be used in lieu of Form SS–1a."

PAR. 4. Section 402.603 of Regulations 106 is amended as follows:

(A) By adding after "Form SS–1a" in the first sentence the following: "or Form 941".

(B) By adding at the end of the section the following:

With respect to periods commencing after December 31, 1949, the term "wages" as used in this section of these regulations includes any remuneration which constitutes wages as defined in either section 1426 (a) or section 1621 (a) of the Internal Revenue Code. Thus, if an employer ceases to pay wages as defined in one of such sections, but continues to pay wages as defined in the other of such sections, no final return should be filed so long as he continues to pay such wages. If an employer who has been paying remuneration which constitutes wages as defined in each of such sections permanently ceases to pay such wages, a final return is required of such employer. Such final return must be filed on or before the thirtieth day after the date of the last payment of wages as defined in such sections. If an employer who has been paying remuneration which constitutes wages as defined in only one of such sections permanently ceases to pay such wages, a final return is required of such employer. Such final return must be filed on or before the thirtieth day after the date of the last payment of wages as defined in such section.

PAR. 5. Section 402.607 of Regulations 106 is amended by striking out in the first sentence "Form SS–1a" and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS–1a)".

PAR. 6. Section 402.702 of Regulations 106 is amended as follows:

(A) By striking out "Form SS–1a" in the first sentence of § 402.702 (a) (1) and in the first and second paragraphs of § 402.702 (a) (2) where the designation first appears, and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS–1a)".

(B) By striking out in the first and second paragraphs of § 402.702 (a) (2) "Form SS–1 or Form SS–1a" and by inserting in lieu thereof "Form SS–1, Form SS–1a, or Form 941".

(C) By adding after "Form SS–1a" in the first and second sentences of § 402.702 (b) (1) the following: "or Form 941".

PAR. 7. Section 402.703 of Regulations 106 is amended as follows:

(A) By striking out "Form SS–1a" in the first and second paragraphs of § 402.703 (a) where the designation first appears, and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form SS–1a)".

(B) By striking out in the first and second paragraphs of § 402.703 (a) "Form SS–1 or Form SS–1a" and by inserting in lieu thereof "Form SS–1, Form SS–1a, or Form 941".

PAR. 8. Section 402.704 of Regulations 106, as amended by Treasury Decision 5665, approved November 1, 1948, is further amended as follows:

(A) By adding after "Form SS–1a" in the first sentence of paragraph (a) the following: "or Form 941".

(B) By striking out in the last sentence of paragraph (d) "or on Schedule A of Form SS–1a" and "or such Schedule A of Form SS–1a" and by inserting in lieu thereof "Schedule A of Form SS–1a, or Schedule A of Form 941" and ", such Schedule A of Form SS–1a, or

such Schedule A of Form 941", respectively.

PAR. 9. Section 405.102 (h) (2) of Regulations 116, as added by Treasury Decision 5645, approved July 20, 1948, is amended by striking out in the first sentence of the third paragraph "Form W–1" and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form W–1)".

PAR. 10. Section 405.501 (c) of Regulations 116 is amended by striking out "(Form W–1)" and by inserting in lieu thereof "(Form W–1 or Form 941)".

PAR. 11. Immediately preceding the caption "Section 2702 (a) of the Internal Revenue Code" as set forth immediately preceding § 405.601 of Regulations 116, the following is inserted:

SECTION 2701 OF THE INTERNAL REVENUE CODE

RETURNS

Every person liable for the tax * * * shall make * * * returns under oath * * * to the collector for the district in which is located the principal place of business. Such returns shall contain such information and be made at such times and in such manner as the Commissioner, with the approval of the Secretary, may by regulations prescribe.

PAR. 12. Section 405.601 of Regulations 116 is amended as follows:

(A) By striking out "Every" in the first sentence and inserting in lieu thereof "Except as provided in § 405.602, every".

(B) By adding after the second sentence the following new sentences: "For quarters commencing after December 31, 1949, Form 941 shall be used in lieu of Form W–1. The return on Form 941 must be filed with the collector of internal revenue for the district in which is located the principal place of business of the employer, or if the employer has no principal place of business in the United States, with the collector of internal revenue at Baltimore, Md."

(C) By adding after "Form W–1" wherever it appears in the second and last paragraphs the following: "or Form 941".

(D) By adding after "Forms W–1" in the eighth paragraph the following: "or Forms 941".

PAR. 13. Section 405.602 of Regulations 116 is amended as follows:

(A) By adding after "Form W–1" in the first sentence the following: "or Form 941".

(B) By inserting after "the collector" in the second sentence the following: "and the tax shall be paid".

(C) By adding at the end of the section the following:

With respect to periods commencing after December 31, 1949, the term "wages" as used in this section of these regulations includes any remuneration which constitutes wages as defined in either section 1426 (a) or section 1621 (a) of the International Revenue Code. Thus, if an employer ceases to pay wages as defined in one of such sections, but continues to pay wages as defined in the other of such sections, no final return should be filed so long as he continues to pay such wages. If an employer who has been paying remuneration which constitutes wages as defined in each of such sections permanently ceases to pay such wages, a final return is required of such employer. Such final return must be filed on or before the thirtieth day after the date of the last payment of wages as defined in such sections. If an employer who has been paying remuneration which constitutes wages as defined in only one of such sections permanently ceases to pay such wages, a final return is required of such employer. Such final return must be filed on or before the thirtieth day after the date of the last payment of wages as defined in such section.

PAR. 14. Section 405.701 of Regulations 116 is amended by striking out "Form W–1" wherever it appears therein and by inserting in lieu thereof "Form 941 (or, with respect to periods ended prior to January 1, 1950, Form W–1)".

PAR. 15. Section 405.805 (a) of Regulations 116 is amended by striking out "Return of Income Tax Withheld on Wages (Form W–1)" and by inserting in lieu thereof "return on Form 941 (or, with respect to periods ended prior to January 1, 1950, Form W–1)".

(53 Stat. 178, 467; 26 U. S. C. 1429, 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: November 10, 1949.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 49–9265; Filed, Nov. 18, 1949; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F—Personnel

PART 573—APPOINTMENT OF COMMISSIONED OFFICERS AND WARRANT OFFICERS

GENERAL ELIGIBILITY REQUIREMENTS

Part 573 is hereby amended by changing the headnote to read as set forth above and by adding a new center head and §§ 573.10 through 573.12, to read as follows:

GENERAL ELIGIBILITY REQUIREMENTS FOR APPOINTMENT OF OFFICERS IN REGULAR ARMY

§ 573.10 *General eligibility requirements.* The following general eligibility requirements will govern appointments in the Regular Army: Applicant must:

(a) Be a citizen of the United States. Applicants who are not citizens of the United States by birth must provide evidence of citizenship. This may be in the form of a sworn or attested certificate by an Army officer or a notary public, fully identifying the naturalization certificate by court, number, and date. Facsimiles or copies, photographic or otherwise, of naturalization certificates will not be made.

(b) Have reached twenty-first birthday but not have passed twenty-seventh birthday on date of appointment, except for appointment in corps as indicated in subparagraphs (1) through (8) of this paragraph. The maximum age may be increased by the number of years, months, and days of active Federal servive performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to December 31, 1947, but not to exceed a total of 5 years.

(1) *Medical Corps.* Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel.

(2) *Dental Corps.* Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment as first lieutenant; thirty-seventh birthday on date of appointment as captain; forty-second birthday on date of appointment as major; and forty-eighth birthday on date of appointment as lieutenant colonel.

(3) *Veterinary Corps.* Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to December 31, 1947 but not to exceed a total of 5 years.

(4) *Medical Service Corps.* Applicant must have reached twenty-first birthday but not have passed thirtieth birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to December 31, 1947 but not to exceed a total of 5 years.

(5) *Army Nurse Corps.* Applicant must have reached twenty-first birthday but not have passed twenty-eighth birthday on date of appointment.

(6) *Women's Medical Specialist Corps.* Applicant must have reached twenty-first birthday but not have passed twenty-eighth birthday on date of appointment.

(7) *Judge Advocate General's Corps.* Applicant must have reached twenty-first birthday but not have passed thirty-second birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to December 31, 1947 but not to exceed a total of 5 years.

(8) *Chaplains.* Applicant must have reached twenty-first birthday but not have passed thirty-fourth birthday on date of appointment. The maximum age may be increased by the number of years, months, and days of active Federal service performed after attaining the age of 21 years as a commissioned officer in the Army of the United States subsequent to December 31, 1947 but not to exceed a total of 5 years.

(c) Possess a baccalaureate degree from a recognized college or university (listed in part 3, current Educational

Directory, Higher Education, United States Office of Education), except as indicated in subparagraphs (1) and (2) of this paragraph. A waiver will be considered for those individuals having 120 or more semester hours gained through attendance at a recognized college or university.

(1) Individuals possessing essential technological background must possess a master's or doctor's degree from a recognized college or university, or a bachelor's degree with at least 3 years of practical experience in the field for which applying.

(2) Enlisted men and warrant officers of the Regular Army, distinguished graduates of Army officer candidate course, and distinguished graduates of Women's Army Corps officer candidate course provided they pass an officer's educational qualification test. However, a waiver may be granted to those persons who possess at least 50 percent of the academic credits required for a baccalaureate degree from a recognized college or university.

(d) Be found to be qualified physically for active military service by meeting the physical standards prescribed for the Regular Army by AR 40–105 (Standards of Physical Examination for Commission or Warrant in Regular Army, National Guard of United States, Army of United States and Organized Reserves), and paragraph 12, AR 40–100 (Miscellaneous Physical Examinations), if applicable, as determined by final type medical examination.

(e) Be of good moral character.

(f) Have a record free of conviction by any type of military or civil court for any other than a minor traffic violation. Request for waiver may be made in the case of other minor violations which are nonrecurrent and which are not deemed prejudicial to performance of duty as an officer. Granting of a waiver will not be considered in the case of any individual who has been convicted of a crime involving moral turpitude.

(g) Not be a conscientious objector. If applicant has been a conscientious objector, he will be required to furnish an affidavit which will express his abandonment of such beliefs and principles so far as they pertain to his unwillingness to bear arms and to give full and unqualified military service to the United States, and where appropriate, he must have demonstrated that he has changed his views by subsequent appropriate military service. (So much of this paragraph as pertains to bearing of arms is not applicable to officers of the Medical Department or Chaplains.)

(h) Not have been separated from any of the armed forces of the United States with other than an honorable discharge.

(i) Not be nor have been a member of any foreign or domestic organization, association, movement, group, or combination of persons advocating subversive policy or seeking to alter the form of government of the United States by unconstitutional means.

§ 573.11 *Waivers.* Notwithstanding any provisions of general eligibility requirements outlined in §§ 573.10 through 573.12 for appointment in the Regular Army, commanders of major commands are authorized, in exceptional cases, for outstanding officers, to recommend to the Department of the Army waivers thereof. Waivers so recommended must be in accordance with statutory provisions of section 506 of the Officer Personnel Act of 1947.

§ 573.12 *Waivers for age.* Waivers for age above 27, but not to exceed 3 years, in exceptional cases only, will be considered by the Department of the Army when applicant meets all of the following requirements:

(a) Has unusual qualifications and outstanding record.

(b) Is recommended by the appropriate commander of a major command.

(c) Has had active Federal service in the Armed Forces of the United States prior to September 2, 1945.

(d) Has had active commissioned service in the Army of the United States prior to date of submission of application at least in the amount for which waiver is requested.

[AR 605–25, Nov. 2, 1949] (R. S. 161, 61 Stat. 883; 5 U. S. C. 22, 10 U. S. C. 481)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 49-9315; Filed, Nov. 18, 1949; 8:47 a. m.]

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 874—ENLISTMENT OF AVIATION CADETS

MISCELLANEOUS AMENDMENTS

Sections 874.1, 874.2, 874.3, 874.6, and 874.7 are amended as follows:

§ 874.1 *Requirements.* * * *

(b) *Marital status and age.* Applicants must be unmarried United States male citizens between 20 and 26½ years of age at the time of making application; qualified applicants will not be entered into training after passing their 27th birthday.

(c) *Educational.* Each applicant must have satisfactorily completed at least 60 semester hours or 90 quarter hours leading to a baccalaureate degree at an accredited college or university.

* * * * *

§ 874.2 *Ineligibles.* * * *

(a) *For navigation and pilot training.* * * *

(4) Those who are or ever have been a conscientious objector or affiliated or sympathetic with any organization, movement, or group advocating a subversive policy, seeking to alter the form of government of the United States by unconstitutional means, or seeking to deny the constitutional rights of others.

* * * * *

§ 874.3 *Applications.* * * *

(c) *Forwarding of applications.* Application papers of civilians will be forwarded to the nearest Aviation Cadet-Officer Candidate examining board.

* * * * *

§ 874.6 *Selection and enlistment*—(a) *Selection priority.* * * *

(4) Delete.

(b) *Enlistment*—(1) *Civilians.* * * *

(i) The Commanding General, Air Training Command, will issue a letter to each qualified applicant authorizing his enlistment as an aviation cadet for three years and assignment to an Air Force flying school.

* * * * *

(2) Delete.

* * * * *

§ 874.7 *Training.* * * *

(c) *Reinstatement to training of non-graduates.* * * *

(3) Those eliminated by reason of academic failure will not be reinstated until they have demonstrated an improvement in their educational qualifications. Such cases will be forwarded for further disposition to the Director of Training, Headquarters United States Air Force, Attention: Aviation Cadet-Officer Candidate School Branch, Washington 25, D. C.

* * * * *

[AFR 50–3A, Oct. 10, 1949; AFL 51–4A, Oct. 10, 1949] (Sec. 3, 55 Stat. 239; 10 U. S. C. 299)

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 49-9308; Filed, Nov. 18, 1949; 8:47 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 127—INTERNATIONAL POSTAL SERVICE: POSTAGE RATES, SERVICE AVAILABLE, AND INSTRUCTIONS FOR MAILING

FRANCE (INCLUDING SAAR TERRITORY AND MONACO)

a. In Subpart D of Part 127 (13 F. R. 9071) amend the list of sections by deleting "127.252 France (including Monaco)," and substituting "127.252 France (including Saar Territory and Monaco)" in lieu thereof.

b. In § 127.252 *France (including Monaco)* (13 F. R. 9149) make the following changes:

1. Amend the section headnote to read as follows:

§ 127.252 *France (including Saar Territory and Monaco).*

2. Amend paragraph (a) (7) by the addition of subdivision (iii) to read as follows:

(a) *Regular mails.* * * *

(7) *Observations.* * * *

(iii) The region known as the Saar Territory, heretofore included in Postal District 18 in the French Zone of Germany, will be considered for postal purposes as a part of France. The postage rates and other conditions applicable to continental France will hereafter apply to mail and parcel post for the Saar Territory. Articles and parcels for that territory are to be addressed to Saar, France, as country of destination.

(a) The principal localities in the Saar Territory are the following:

Homburg (Saar).	Saarlautern.
Merzig.	Saarlouis.
Neunkirchen (Saar)	St. Ingbert.
Ottweiler	St. Wendel
Saarbrucken	

3. Amend paragraph (b) (4) by the addition of a subdivision (xiv) to read as follows:

(b) *Parcel post.* * * *

(4) *Observations.* * * *

(xiv) See paragraph (a) (7) (iii) of this section.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 49-9316; Filed, Nov. 18, 1949; 8:48 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 9343]

PART 2 — FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

PART 9—AERONAUTICAL SERVICES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 3d day of November 1949;

The Commission having under consideration an amendment to Part 9, rules governing Aeronautical Services and Part 2, rules governing Frequency Allocations and Radio Treaty Matters, in order to provide two new classes of stations to be used in connection with the activities of the Civil Air Patrol;

It appearing, that in accordance with the requirement of section 4 (a) of the Administrative Procedure Act, general notice of proposed rule making in the above-entitled matter was duly published in the FEDERAL REGISTER: and

It further appearing, that after consideration of all the comments presented public interest, convenience and necessity would be served by the adoption of the proposed amendments and authority therefor is contained in section 303 (a), (b), (c), (d), (e), (l) and (r) of the Communications Act of 1934, as amended:

It is ordered, That effective December 12, 1949, Part 9 is amended to read as follows:

§ 9.9 *Civil Air Patrol Stations*—(a) *Civil Air Patrol Land Station.* A land station used exclusively for communications of the Civil Air Patrol.

(b) *Civil Air Patrol Mobile Station.* A mobile station used exclusively for communications of the Civil Air Patrol.

§ 9.193 *Permissible communications.* All ground stations in the aeronautical radiocommunication service shall transmit only communications for the safe, expeditious and economical operation of aircraft and the protection of life and property in the air: *Provided, however,* That aeronautical Public Service stations, and land and mobile stations of the Civil Air Patrol, may communicate in accordance with the particular sections of these rules which govern the operation of those classes of stations.

CIVIL AIR PATROL STATIONS

§ 9.911 *Eligibility for station license.* Authorizations for land and mobile stations of the Civil Air Patrol will be issued only to units or headquarters of the Civil Air Patrol. All applications will be supported by a confirming statement from the proper military authority.

§ 9.912 *Frequencies available.* The frequencies 2374 kc., A1, A2, A3 emission and 148.14 Mc., A2, A3 emission, have been made available by the military for assignment by the Commission to land and mobile stations of the Civil Air Patrol.

§ 9.913 *Scope of service.* (a) Land and mobile stations of the Civil Air Patrol may be used only for training, operational and emergency activities of the Civil Air Patrol.

(1) Civil Air Patrol Land Stations may communicate with other land stations and mobile stations of the Civil Air Patrol.

(2) Civil Air Patrol Mobile Stations may communicate with other mobile stations and land stations of the Civil Air Patrol.

§ 9.914 *Operator requirements.* (a) All transmitter adjustments or tests during or coincident with the installation, servicing, or maintenance of a radio station, which may affect the proper operation of such station, shall be made by or under the immediate supervision and responsibility of a person holding a first or second class commercial radio operator license, either radiotelephone or radiotelegraph, who shall be responsible for the proper functioning of the station equipment: *Provided, however,* That only persons holding a first or second class commercial radiotelegraph operator license shall perform such functions at radiotelegraph stations transmitting by any type of the Morse Code.

(b) A station during the course of normal rendition of service when transmitting radiotelegraphy by any type of the Morse Code shall be operated by a person holding a commercial radiotelegraph operator license or permit of any class issued by the Commission, except that aircraft radio stations while employing radiotelegraphy may not be operated by holders of restricted radiotelegraph operator permits.

(c) Aircraft radio stations. Aircraft radio stations using radiotelephony shall be operated by persons holding any class of commercial radio operator license or permit or an aircraft radiotelephone operator authorization.

(d) Ground radio stations. Each transmitter shall be operated in the manner prescribed in this paragraph:

(1) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4), (5) and (6) of this paragraph, an unlicensed person may operate a land mobile station during the course of normal rendition of service when transmitting on frequencies above 25 Mc. after being authorized to do so by the station licensee.

(2) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4), (5), (6) and (7) of this paragraph, only a person holding a commercial radio operator license or permit of any class issued by the Commission shall operate a land mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc.: *Provided, however,* That an unlicensed person, after being authorized to do so by the station licensee, may operate such a land mobile station during the course of normal rendition of service when transmitting on frequencies below 25 Mc. while it is associated with and under the operational control of a base station of the same station licensee.

(3) Except under the circumstances specified in paragraphs (a) and (b) of this section, and subject to the provisions of subparagraphs (4), (5), (6) and (7) of this paragraph, land stations shall be operated when transmitting during the course of normal rendition of service by a person holding a commercial radio operator license or permit of any class, which licensed operator may permit other persons to transmit or to communicate over the facilities of the station in accordance with the term of the station license: *Provided,* That the licensed operator shall remain in full control of and shall be fully responsible for the emission of that station and shall suspend the radiation of the transmitter immediately when there is a deviation from the terms of the station license: *And provided further,* That the person manipulating the telegraph key for the transmission by manual or semi-automatic means of telegraphy by any type of the Morse Code by such station shall hold a class of radiotelegraph operator's license which is valid for the operation of that station.

(4) The provisions of this paragraph authorizing certain unlicensed persons to operate certain stations when transmitting during the course of normal rendition of service, shall be applicable only to stations in the domestic service. For the purposes of this section, a station in the domestic service is one which is located within the United States, its territories or possessions and which, when communicating with other stations is in communication exclusively with one or more other United States stations which are also located in the United States, its territories or possessions; a station in the international service is one which is not in the domestic service as just defined.

(5) The provisions of this paragraph authorizing certain unlicensed persons to operate land mobile stations shall not be construed to change or diminish in any respect the responsibility of station licensees to have and to maintain control over the stations licensed to them (including all transmitter units thereof), or for the proper functioning and operation of those stations (including all transmitter units thereof) in accordance with the terms of the licenses of those stations.

(6) Notwithstanding any other provisions of this paragraph, unless the transmitter is so designed that none of the operations necessary to be performed during the course of normal rendition of service may cause off-frequency operation or result in any unauthorized radiation, such transmitter shall be operated by a person holding a first or second class commercial radio operator license (either radiotelephone or radiotelegraph as may be appropriate for the type of emission being used) issued by the Commission.

(7) Any reference in this paragraph to a commercial radio operator license or permit of any class issued by the Commission shall not be construed to include Aircraft Radiotelephone Operator Authorizations.

It is further ordered, That effective December 12, 1949, Part 2 is amended as follows:

(a) In Subpart A—Definitions, § 2.1, add the definitions:

Civil Air Patrol Land Station (FLV). A land station used exclusively for communications of the Civil Air Patrol.

Civil Air Patrol Mobile Station (MOV). A mobile station used exclusively for communications of the Civil Air Patrol.

(b) In subpart B—Allocation assignment and use of radio frequencies, § 2.101 *Station symbols:*

Insert the symbol "FLV" after the symbol "FLU". Opposite "FLV" insert the term "Civil Air Patrol Land Station" directly under the term "Aeronautical Utility Land Station".

Insert the symbol "MOV" after the symbol "MOU". Opposite "MOV" insert the term "Civil Air Patrol Mobile Station" directly under the term "Aeronautical Utility Mobile Station".

(c) In § 2.104 (a) *Table of Frequency Allocations* amend columns 5 and 11 of the Table of Frequency Allocations in the band 148–174 Mc. as shown below.

World wide		Region 2		United States		Federal Communications Commission				
Band Mc.	Service	Band Mc.	Service	Band Mc.	Allocation	Band Mc.	Service	Class of station	Frequency	Nature of services of stations
1	2	3	4	5	6	7	8	9	10	11
146-235		148-174	a. Fixed. b. Mobile.	148-152 (US21)	G				148.14	Civil Air Patrol land. Civil Air Patrol mobile.

US21 The use of the frequency 148.14 Mc. may be authorized to Civil Air Patrol land stations and Civil Air Patrol mobile stations on the condition that harmful interference will not be caused to government stations in the band 148–152 Mc.

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. 303 (r). Applies 303 (a), (b), (c), (d), (e), (l), 48 Stat. 1082; 47 U. S. C. 303 (a), (b), (c), (d), (e), (l))

Released: November 9, 1949.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9334; Filed, Nov. 18, 1949; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 988]

HANDLING OF MILK IN KNOXVILLE, TENN., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND TO PROPOSED ORDER AMENDING ORDER

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et sec.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was held at Knoxville, Tennessee on October 25 and 26, 1949, both dates inclusive, pursuant to a notice issued on October 17, 1949 (14 F. R. 6409), upon a proposed marketing agreement and a proposed amendment to the order regulating the handling of milk in the Knoxville, Tennessee marketing area.

Preliminary statement. The proposed amendment upon which the hearing was held was submitted by Knoxville Milk Producers Association.

The material issues presented on the record of the hearing were whether:

(1) The order provisions should be amended to provide a minimum price of $5.40 per hundredweight for Class I milk during the months of December 1949 through March 1950.

(2) An emergency exists which warrants immediate effectuation of the proposed amendment to the order for a minimum price of $5.40 per hundredweight for Class I milk for the period of December 1949 through March 1950.

Findings and conclusions. Upon the basis of evidence introduced at the hearing and on the record thereof with respect to the aforementioned issues it is hereby found and concluded that:

(1) The price of Class I milk of 4.0 percent butterfat content should not be less than $5.40 per hundredweight for the delivery period of December 1949 and $5.00 per hundredweight for the delivery periods of January, February, and March 1950.

The order presently provides that the price of Class I milk of 4.0 percent butterfat content shall be determined by adding the following amounts per hundredweight to the basic formula price: $1.50 for the delivery periods of August through November: $1.30 for the delivery periods of December through March; and $1.10 for the delivery periods of April through July: *Provided,* That for the delivery periods of August through November 1949 the price for such milk shall not be less than $5.40 per hundredweight. On the basis of the basic formula price for September 1949 and the winter differential of $1.30 the Class I price for December 1949 would be $4.76 per hundredweight, a decrease of 64 cents from the present price of $5.40.

Producers proposed that the present minimum price of $5.40 be extended through March 1950.

The present supply of producer milk is insufficient to meet Class I requirements of the market. During August 1949, 418,704 pounds of milk from sources other than current producer receipts were utilized by handlers as Class I milk. During September 1949 producer receipts were insufficient to meet Class I needs for the market necessitating the importation of 1,126,027 pounds of other source milk of which 836,530 pounds were classified as Class I milk. This is equivalent to more than 12 percent of the total Class I sales of the market. November is normally the shortest production month and in view of the imports of other source milk made in August and September to meet Class I needs it is likely that substantial imports will be needed in the remaining fall and winter months which are the most difficult production months.

While there has been a significant reduction in the costs of major feeds during the past year and feeds are in adequate supply and notwithstanding the fact that there has been an increase in the number of producers and in the volume of producer receipts during the past year, the shortness of supply and the difficulty of producing milk during the winter months militate against a drastic reduction of price at this time. In addition, the record shows that the local milk supply is threatened by the possible encroachment of other surrounding fluid markets. There are a number of local fluid markets in the area adjacent to the Knoxville milkshed some of which are paying prices equivalent to or in excess of the current prices being paid

by Knoxville handlers. Also fluid markets in neighboring states are currently short of milk and are actively soliciting additional supplies. The record shows that markets in North Carolina and Georgia are paying prices in excess of local producer prices for imported supplies. Firm bids have been made for milk of the local producer association at $6.40 and $6.47 per hundredweight delivered f. o. b. platform in these areas.

Historically, producers in southern markets are not accustomed to drastic downward trends in milk prices during the winter months when production costs are highest and the task of caring for dairy cattle is most difficult. While the formula method of pricing as set forth in the order provides for a 20 cent decrease in the Class I price differential on December 1 and normally the level of prices paid for milk for manufacturing uses, which is the basis of the basic formula price, does decline somewhat during the late winter months, an unprecedented drop of 64 cents at this time would jeopardize present prospects of securing an adequate supply of milk for the market in forthcoming periods of seasonally short supply.

In view of the economic conditions affecting the supply of and demand for milk in the Knoxville market it is concluded that producers must have assurance against an unreasonable deterioration in the price of milk at this time. Accordingly, it is concluded that the price for Class I milk should not be less than $5.40 per hundredweight for the delivery period of December 1949 and $5.00 per hundredweight for the delivery periods of January, February, and March 1950. Assurance of these minimum prices should preserve the present supply of producer milk and at the same time provide for lower prices as the market approaches the spring months when costs of producing milk are lower and supplies of milk are normally greater.

(2) The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Assistant Administrator, Production and Marketing Administration, and exceptions thereto.

The hearing record established that immediate action must be taken if an amendment is to meet effectively the urgent supply and demand problem sought to be alleviated. With respect to such problem, the critical situation will be aggravated on and after December 1, 1949. The delay necessarily involved in the preparation, filing and publication of a recommended decision and exceptions thereto would defeat the purpose of the amendment.

The omission of the recommended decision and filing of exceptions was requested on the record. There was no testimony in opposition to this request.

(3) *General findings and conclusions.* (a) The proposed marketing agreement and the order as hereby proposed to be amended and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The prices calculated to give milk produced for sale in the said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and the minimum prices specified in the proposed marketing agreement and order, as hereby proposed to be amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed marketing agreement and order, as hereby proposed to be amended regulate the handling of milk in the same manner as and are applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. Written arguments and proposed findings and conclusions submitted on behalf of interested persons were considered, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that the proposed findings and conclusions differ from the findings and conclusions contained herein, the specific or implied requests to make such findings are denied because of the reasons stated in support of the findings and conclusions in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled "Marketing Agreement Regulating the Handling of Milk in the Knoxville, Tennessee Marketing Area" and "Order Amending the Order Regulating the Handling of Milk in the Knoxville, Tennessee Marketing Area," which have been decided upon as the appropriate and detailed means of effecting the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

This decision filed at Washington, D. C., this 16th day of November 1949.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

Order[1] Amending the Order Regulating Handling of Milk in Knoxville, Tenn., Marketing Area

§ 988.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary to and in addition to the findings and determinations made in connection with the issuance of this order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was held October 25 and 26, 1949, upon a proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Knoxville, Tennessee milk marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The prices calculated to give milk produced for sale in said marketing area a purchasing power equivalent to the purchasing power of such milk as determined pursuant to sections 2 and 8e of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supplies of and demand for such milk, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Order relative to handling. It is hereby ordered, that on and after the effective date hereof, the handling of milk in the Knoxville, Tennessee marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as hereby amended; and the aforesaid order is hereby amended as follows:

Delete the proviso in § 988.5 (b) (1) and substitute therefor the following: "*Provided,* That the price for Class I milk shall not be less than $5.40 per hundredweight for the delivery period of December 1949 and $5.00 per hundredweight for the delivery periods of January, February, and March 1950.

[F. R. Doc. 49-9318; Filed, Nov. 18, 1949; 8:48 a. m.]

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders have been met.

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 49-44]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4491, as amended; 46 U. S. C. 375, 489; and section 101 of Reorganization Plan No. 3 of 1946 (11 F. R. 7875, 60 Stat. 1097, 46 U. S. C. 1), as well as the additional authorities cited with specific items below, the following approvals of equipment are prescribed and shall be effective for a period of five years from date of publication in the FEDERAL REGISTER unless sooner canceled or suspended by proper authority:

CLEANING PROCESSES FOR LIFE PRESERVERS

NOTE: Where buoyancy fillers are not removed from envelope covers during cleaning process.

Approval No. 160.006/19/0, Garden City Cleaning Process for kapok life preservers as outlined in letter of October 12, 1949, from Garden City Renovating, 2307-09 Stevens Creek Road, San Jose, Calif.

(R. S. 4417a, 4426, 4488, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 164, 166, 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 481, 490, 526e, 526p, 1333, 50 U. S. C. 1275; 46 CFR 160.006-4)

BUOYANT CUSHIONS, NON-STANDARD

NOTE: Cushions are for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire.

Approval No. 160.008/414/0, 14" x 14" x 2" seat, 14" x 18" x 2" back, 40 oz. kapok, double buoyant cushion, Dwg. No. 20, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/415/0, 14" x 14" x 2" seat, 14" x 18" x 2" back, 40 oz. kapok double buoyant cushion, flexible plastic film cover and straps, stitched seams, Dwg. No. 120, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/416/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, flexible plastic film cover and straps, stitched seams, Dwg. No. 218, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/418/0, 15" x 36" x 2" rectangular buoyant cushion, 48 oz. kapok, Dwg. No. 319, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/419/0, 15" x 36" x 2" rectangular buoyant cushion, 48 oz. kapok, flexible plastic film cover and straps, stitched seams, Dwg. No. 419, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/420/0, 15" x 48" x 2" rectangular buoyant cushion, 65 oz. kapok, Dwg. No. 519, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

Approval No. 160.008/421/0, 15" x 48" x 2" rectangular buoyant cushion, 65 oz. kapok, flexible plastic film cover and straps, stitched seams, Dwg. No. 619, dated September 19, 1949, manufactured by Seaway Manufacturing Co., Inc., 511 North Solomon Street, New Orleans 19, La.

(54 Stat. 164, 166; 46 U. S. C. 526e, 526p; 46 CFR 25.4-1, 160.008)

DAVITS, LIFEBOAT

Approval No. 160.032/115/0, Gravity Davit, Type L0-90, approved for maximum working load of 18000 pounds per set (9,000 pounds per arm) using 2 part falls, identified by Arrangement Dwg. No. 3160-7, dated June 16, 1948, manufactured by the Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J.

(R. S. 4417a, 4426, 4481, 4488, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 404, 474, 481, 1333, 50 U. S. C. 1275; 46 CFR 37.1-4, 59.3, 60.21, 76.15, 94.14, 113.23)

LIFEBOATS

Approval No. 160.035/259/0, 24.1' x 7.4' x 2.81' steel oar-propelled lifeboat, 30-person capacity, identified by General Arrangement and Detail Dwg. No. OMS-501A, dated August 1949, manufactured by Tregoning Industries, Inc., Seattle, Wash.

(R. S. 4417a, 4426, 4481, 4488, 4492, 35 Stat. 428, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 396, 404, 474, 481, 490, 1333, 50 U. S. C. 1275; 46 CFR 37.1-1, 59.13, 76.16, 94.15, 113.10)

VALVES, SAFETY

Approval No. 162.001/136/0, Consolidated pop safety valve, Type 1553-HCE, cast alloy steel body, nozzle type through seat bushing, open spring fitted with spring cover, Dwg. No. CODE—1½—1553—HE (9) X9-M, dated June 22, 1949, and Dwg. No. T-5886-BK, dated October 30, 1949, approved for 1½" inlet size for a maximum pressure of 900 pounds per square inch and a maximum temperature of 1050° F., manufactured by Manning, Maxwell & Moore, Inc., Consolidated Safety Valve Decision, Elias Street, Bridgeport 2, Conn.

(R. S. 4417a, 4418, 4426, 4433, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 1333, 50 U. S. C. 1275, 46 CFR 52.65)

BOILERS, HEATING

NOTE: Approval covers bare boiler only.

Approval No. 162.003/79/0, Model "Arcoliner" heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corp., P. O. Box 1226, Pittsburgh 30, Pa.

Approval No. 162.003/80/0, Model "Severn," heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corp., P. O. Box 1226, Pittsburgh 30, Pa.

Approval No. 162.003/81/0, Model "Oakmont," heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by the American Radiator & Standard Sanitary Corp., P. O. Box 1226, Pittsburgh 30, Pa.

Approval No. 162.003/82/0, Model "Exbrook," heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corp., P. O. Box 1226, Pittsburgh 30, Pa.

Approval No. 162.003/83/0, Model "Redflash," heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by the American Radiator & Standard Sanitary Corp., P. O. Box 1226, Pittsburgh 30, Pa.

Approval No. 162.003/84/0, Model "Water Tube", heating boiler, cast iron sectional construction, maximum pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corps., P. O. Box 1226, Pittsburgh 30, Pa.

(R. S. 4417a, 4418, 4426, 4433, 4434, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 412, 1333, 50 U. S. C. 1275; 46 CFR Part 52)

INCOMBUSTIBLE MATERIALS

Approval No. 164.009/25/0, "J-M Six Pound Reinforced Asbestos Paper", asbestos paper type Incombustible Material identical to that described in National Bureau of Standards Test Report No. TG10210-1643: FP2833, dated October 13, 1949, approved in a weight of 6 pounds per one hundred square feet, manufactured by Johns-Manville Sales Corp., 22 East Fortieth St., New York 16, N. Y.

(R. S. 4417a, 4426, 49 Stat. 1384, 1544, 54 Stat. 1028, sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 369, 391a, 404, 463a, 50 U. S. C. 1275; 46 CFR Part 144)

Dated: November 15, 1949.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 49-9322; Filed, Nov. 18, 1949; 8:48 a. m.]

[CGFR 49-45]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by R. S. 4405 and 4491, as amended, 46 U. S. C. 375, 489; and section 101 of Reorganization Plan No. 3 of 1946, 11 F. R. 7875, 60 Stat. 1097, 46 U. S. C. 1, as well as the additional authorities cited with specific items below, the following approvals of equipment are terminated because the items of equipment covered are no longer being manufactured:

BOILERS, HEATING

Termination of Approval No. 162.003/2/0, Model "Arco" heating boiler, cast iron sectional and round firepot construction, catalog No. 605 (revised) October 1941, maximum working pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corp., Bessemer Building, Pittsburgh 22, Pa. (Approved in FEDERAL REGISTER December 27, 1947.)

Termination of Approval No. 162.003/42/0, Model "Ideal" heating boiler, cast iron sectional and round firepot construction, catalog No. 605 (revised) October 1941, maximum working pressure 15 pounds per square inch, manufactured by American Radiator & Standard Sanitary Corp., Bessemer Building, Pittsburgh 22, Pa. (Approved in FEDERAL REGISTER December 27, 1947.)

(R. S. 4417a, 4418, 4426, 4423, 4434, 49 Stat. 1544, 54 Stat. 346, and sec. 5 (e), 55 Stat. 244, as amended; 46 U. S. C. 367, 391a, 392, 404, 411, 412, 1333, 50 U. S. C. 1275, 46 CFR Part 52)

CONDITIONS OF TERMINATION OF APPROVALS

The termination of approvals of equipment made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval on any item of equipment, such equipment manufactured before the effective date of termination of approval may be used on merchant vessels so long as it is in good and serviceable condition.

Dated: November 15, 1949.

[SEAL] J. F. FARLEY,
Admiral, U. S. Coast Guard,
Commandant.

[F. R. Doc. 49-9323; Filed, Nov. 18, 1949; 8:48 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

MISSOURI BASIN PROJECT, MONTANA-WYOMING

FIRST FORM RECLAMATION WITHDRAWAL

APRIL 22, 1949.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949, I hereby withdraw the following described lands from public entry, under the first form of withdrawal, as provided by section 3 of the act of June 17, 1902 (32 Stat. 388):

MOORHEAD RESERVOIR SITE, POWDER RIVER UNIT

PRINCIPAL MERIDIAN, MONTANA

T. 9 S., R. 47 E.,
Sec. 22, NE¼SW¼;
Sec. 23, S½NW¼, S½SW¼, NE¼SE¼;
Sec. 24, Lots 1, 2, NE¼NW¼, NW¼SW¼;
Sec. 26, Lot 2, W½NE¼, N½NW¼, NW¼SE¼, SE¼SE¼;
Sec. 35, Lots 3, 4, 6, 7, 8, 9, 10 and 15.
T. 9 S., R. 48 E.,
Sec. 19, Lot 1;
Sec. 21, NW¼SE¼;
Sec. 27, NE¼NW¼, NW¼SW¼, SE¼SW¼;
Sec. 28, S½NE¼, NW¼, SE¼SW¼, NE¼SE¼;
Sec. 30, Lots 2, 3, NW¼NE¼, S½NE¼, E½W½, SE¼;
Sec. 31, Lots 3, 6, N½NE¼, SW¼NE¼, NE¼NW¼, NW¼SE¼;
Sec. 32, Lot 2, NW¼NE¼, S½NE¼, N½NW¼, SE¼NW¼;
Sec. 33, Lots 2, 3, E½NW¼, NE¼SW¼.

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 57 N., R. 75 W.,
Sec. 5, Lot 10;
Sec. 6, Lots 12, 13;
Sec. 8, SW¼NE¼;
Sec. 17, Lots 1 and 3.
T. 58 N., R. 75 W.,
Sec. 19, Lots 8, 11, 12;
Sec. 21, Lots 6, 7, 8, NW¼SW¼;
Sec. 22, Lots 5, 6;
Sec. 23, Lot 8, W½SW¼;
Sec. 26, SE¼NE¼;
Sec. 29, Lot 2;
Sec. 30, Lots 5, 6, 8, 10, 11;
Sec. 32, Lots 3 to 6, incl., SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼;
Tracts 45-A, 45-C, 95-A.
T. 56 N., R. 76 W.,
Sec. 6, SW¼SE¼.
T. 57 N., R. 76 W.,
Sec. 1, S½SW¼, SE¼;
Sec. 2, Lots 6, 7, SE¼SW¼, SE¼SE¼;
Sec. 9, Lot 3;
Sec. 11, Lots 1 to 4, incl., NW¼NW¼;
Sec. 12, Lots 1, 2, 3, 8;
Sec. 13, Lots 1 to 4, incl., SW¼SW¼;
Sec. 14, Lots 1, 2, 3, 7, 8;
Sec. 20, Lots 2, 3;
Sec. 23, Lots 2, 3, 5, S½NW¼, N½SW¼;
Sec. 24, Lot 2;
Sec. 25, Lots 1, 4;
Sec. 28, Lot 3, SW¼;
Sec. 29, Lots 1, 2, 5, E½NE¼;
Sec. 30, Lots 6, 7, 10 to 16, incl.;
Sec. 31, Lots 5, 6, 7;
Sec. 32, Lot 1, NE¼NW¼;
Sec. 33, Lots 1, 2;
Tracts 69-C, 69-D.
T. 58 N., R. 76 W.,
Sec. 34, Lot 3;
Sec. 35, Lot 6;
Sec. 36, Lots 3, 5, 6.
T. 56 N., R. 77 W.,
Sec. 13, Lot 4;
Sec. 14, SE¼SE¼.
T. 57 N., R. 77 W.,
Sec. 25, Lots 3, 4.

The above areas aggregate 6,542.09 acres.

Notice for filing objections. Notice is hereby given that for a period of 30 days from the date of publication of this notice, persons having cause to object to the terms of the above order withdrawing certain public lands in the States of Montana and Wyoming for use in connection with the Moorhead Reservoir Site, Powder River Unit, Missouri Basin Project, may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C.

In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent and extent. Should any objection be filed, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

WESLEY R. NELSON,
Assistant Commissioner,
Bureau of Reclamation.

I concur. The records of the Bureau of Land Management and the District Land Office will be noted accordingly.

ROSCOE E. BELL,
Associate Director,
Bureau of Land Management.

SEPTEMBER 21, 1949.

[F. R. Doc. 49-9305; Filed, Nov. 18, 1949; 8:46 a. m.]

Office of the Secretary

[Order 2540]

COLUMBIA BASIN PROJECT

ASSESSMENT BY IRRIGATION DISTRICTS OF LANDS OWNED BY UNITED STATES

NOVEMBER 10, 1949.

SECTION 1. *Purpose.* This order establishes regulations with respect to the levy and enforcement of assessments by or on behalf of irrigation districts against lands owned by the United States within the Columbia Basin Project, pursuant to the provisions of subsection 5 (b) and section 8 of the Columbia Basin Project Act (57 Stat. 14; 16 U. S. C., secs. 835c-1, 835c-4) and in keeping with the provisions of section 14, chapter 275, Laws of Washington, 1943.

SEC. 2. *Definitions.* As used in this order the terms:

(a) "Secretary" shall mean the Secretary of the Interior or his duly authorized representative.

(b) "District Manager" shall mean the District Manager of the Columbia River District, Bureau of Reclamation.

(c) "Project" shall mean the Columbia Basin Project, a Federal reclamation project.

(d) "District" shall mean any one of the irrigation districts organized under the laws of Washington which has contracted with the United States under the Columbia Basin Project Act to repay a portion of the construction cost of the project.

(e) "Development period" shall mean the period with respect to each irrigation block during which water is made available on a rental basis, as provided in the repayment contract between the United States and the district in which the block is located.

(f) "Settlement lands" shall mean those public lands of the United States

within the project or those lands acquired by the United States under the authority of the Columbia Basin Project Act, title to which is vested in the United States and which the District Manager indicates are being held pending their conveyance in accordance with the project settlement and development program.

(g) "Other project act lands" shall mean those public lands within the project and those lands or interests acquired and being held by the United States under the Columbia Basin Project Act, which the District Manager indicates are being held other than for conveyance in accordance with the project settlement and development program.

(h) "Rights of way" shall mean lands or interests in lands acquired by the United States under the Federal Reclamation Laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) for the construction and operation of project works, and rights of way, including improvements thereon, reserved to the United States, under the act of August 30, 1890 (26 Stat. 391; 43 U. S. C., 1946 ed., sec. 945) or section 7412 of Remington's Revised Statutes of Washington and being asserted for project purposes.

SEC. 3. *Assessment of settlement lands.* (a) With respect to settlement lands the title to which passes to the United States in any year on or after January 1 and before the date a district makes its levy that year, the district may complete its levy for that year on the same basis as against other lands of like character within the operation of the district, thereby establishing a lien therefor as provided by the laws of Washington. Levies by the district on such settlement lands for subsequent years shall be made, however, only as provided in (b) and (c) of this section.

(b) From the date the United States contracts to sell or exchange settlement lands until title thereto passes to the purchaser under such contract, or until the rights of the purchaser are terminated, settlement lands shall be subject to assessment by a district on the same basis as other lands of like character within the operation of the district, except as otherwise provided herein.

(c) Settlement lands, which the United States is not under contract to sell or exchange on or after January 1 of the first year after the end of the development period for the irrigation block in which located, may be assessed by a district while in that status to the extent of the construction charge obligation installment required to be collected from such lands on account of the district's construction cost obligation to the United States. No other levies shall be made by a district against settlement lands in this status, except as provided in (d) of this section.

(d) Beginning with the first year of the development period for each irrigation block, settlement lands in the block whether comprising the whole or but part of a farm unit may be assessed for development period water charges or operation and maintenance charges, as the case may be, as of the first of each calendar year, notwithstanding the fact that the United States may not have contracted to sell or exchange the lands as of that date, but the assessments shall be on the condition that they will be ineffective for any year as to settlement lands which the United States has not contracted to sell or exchange by March 31 of that year. If the United States contracts to sell or exchange such lands after March 31 of any year, it will be the policy of the United States to require the purchaser to make appropriate payment to the district for water service for the remainder of that year.

(e) While settlement lands which the United States has leased for use as irrigated lands and which the United States has not contracted to sell or exchange may not be assessed by a district, except to the extent permitted under (c) and (d) of this section, it will be the policy of the United States to require its lessees, except lessees of development farms, to pay the appropriate district the same amounts annually for irrigation water that would be required to be paid if the lands were subject to assessment. Lessees of development farms will also be required to pay water charges to the district, but, by reason of the use of a portion of such farms for experimental and research work of general benefit to the project, it may be found appropriate to provide for some adjustment in water charges to the extent that water service is provided for such work.

(f) Assessments which a district is permitted to complete under (a) of this section shall not be subject to interest and penalties during the period beginning with passage of title to the United States and ending when the United States contracts to sell or exchange lands. Assessments made by a district against settlement lands while the United States is under contract to sell or exchange such lands shall be subject to all interest and penalties for delinquency as provided by the laws of Washington, but interest and penalties shall cease to accumulate on the date such contract is terminated by the United States. Assessments made by a district against settlement land for periods while the United States is not under contract to sell or exchange such lands shall not be subject to interest or penalties for delinquency in payment.

(g) No action shall be taken by or for a district to enforce any lien created as permitted under these regulations by assessment foreclosure or other means that would purport to transfer any right in or title to any land or interest therein while title thereto is vested in the United States. In any conveyance of settlement lands subject to such liens, the United States, however, will convey subject to whatever liens in favor of a district are validly created under these regulations.

SEC. 4. *Assessment of rights of way and other project act lands.* (a) As a continuing condition to the operation of these regulations, a district shall, as to rights of way and other project act lands the title to which passes to the United States on or after January 1 of any year and before the district has levied its assessments for that year, immediately remove the property from its assessment rolls and shall not thereafter take any proceedings to complete or enforce the assessments. Any such removal from the rolls shall be effective as of January 1 of the year in which title passes to the United States. Action so to remove shall be taken promptly after the giving of written notice by the District Manager to the district as to the lands involved, and the district shall provide the United States with a certificate showing the action taken and its effective date.

(b) There is no authority in law for the assessment of rights of way owned by the United States. Accordingly, a district shall make no assessment thereof while title thereto remains in the United States.

(c) Other project act lands while in the ownership of the United States shall not be assessed for any district charge so long as they remain in the "other project act lands" category.

SEC. 5. *Reports on status of lands.* The District Manager will inform each district from time to time each year as to these matters as they may affect that district:

(a) The area and description of lands held as settlement lands as of January 1.

(b) The description of settlement lands which the United States has contracted to sell or exchange, the contracting parties, and the effective dates of the contracts.

(c) The description of settlement lands which were under contract of sale or exchange but which contracts have been terminated during the year by the United States, and the effective dates of such terminations.

(d) The description of settlement lands which have been conveyed by the United States, the grantees, and the effective dates of the conveyances.

(e) The description of settlement lands under lease for use as irrigated lands, the lessees, and the provisions of the leases with respect to the lease term and the payment of water charges.

(f) The area and description of lands held as of January 1 as other project act lands, and of lands transferred to that status during the year.

(16 U. S. C., 1946 ed., sec. 835c–4)

Done as of the first day of January 1949.

J. A. KRUG,
Secretary of the Interior.

[F. R. Doc. 49-9307; Filed, Nov. 18, 1949; 8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

DELEGATIONS OF AUTHORITY

Effective November 8, 1949, the following delegations of authority have been authorized:

(a) Authority has been delegated to Chief, Engineering Division (in addition to Deputy Administrator and Assistant Administrator) to approve, "for Claude R. Wickard, Administrator," the following contracts between REA borrowers and parties other than the United States for distribution or transmission facilities:

(1) Construction contracts.
(2) Equipment contracts and amendments thereto.
(3) Engineering service contracts and amendments thereto.
(4) Architectural service contracts and amendments thereto.
(5) Agreements involving more than $300 with reference to physical and electrical interference with power and telephone lines.
(6) Agreements with reference to highway and railroad crossings and sidings.

(b) Authority has been delegated to Chief, Power Division (in addition to Deputy Administrator and Assistant Administrator) to approve, "for Claude R. Wickard, Administrator," the following contracts between REA borrowers and parties other than the United States for generation or transmission facilities:

(1) Construction contracts.
(2) Equipment contracts and amendments thereto.
(3) Engineering service contracts and amendments thereto.
(4) Architectural service contracts and amendments thereto.
(5) Agreements involving more than $300 with reference to physical and electrical interference with power and telephone lines.
(6) Agreements with reference to highway and railroad crossings and sidings.

(c) Authority has been delegated to Chief and Assistant Chief, Management Division (in addition to Deputy Administrator and Assistant Administrator) to approve, "for Claude R. Wickard, Administrator," sales and transfers of material or equipment between REA borrowers and others.

(d) Authority has been delegated to Chief, Management Division (in addition to Deputy Administrator and Assistant Administrator) to approve, "for Claude R. Wickard, Administrator," retail rate contracts between borrowers and others relating to large power installations.

These delegations supersede all prior delegations with reference to this subject matter.

Issued this 8th day of November 1949.

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 49-9317; Filed, Nov. 18, 1949; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3397 et al.]

AIRLINE TRANSPORT CARRIERS, INC., ET AL.; TRANSCONTINENTAL COACH TYPE SERVICE CASE

NOTICE OF HEARING

In the matter of the applications of Airline Transport Carriers, Inc., and other applicants for certificates of public convenience and necessity and/or exemption orders under Title IV of the Civil Aeronautics Act of 1938 as amended, authorizing the establishment of additional transcontinental air transportation between the east and west coasts of the United States.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938 as amended, particularly sections 205 (a), 401, and 1001 of said act, that a hearing in the above entitled proceeding is assigned to be held on November 28, 1949, at 10 a. m., e. s. t., in the auditorium of the Commerce Department Building, Washington, D. C., before Examiner William J. Madden.

Without limiting the scope of the issues presented by the parties to this proceeding, particular attention will be directed to the following matters and questions:

(1) Is air transportation of the character and quality proposed by the applicants required by the public convenience and necessity?

(2) If such air transportation is required, can it be conducted economically and on a continuing basis?

(3) If such air transportation is required, should it be provided by one or more of the applicants in this case or by one or more of the existing certificated carriers now authorized to provide transcontinental service?

(4) If such air transportation should be provided by one or more of the applicants, which applicant or applicants can best perform such service?

(5) Whether an exemption order under the provisions of section 416 of the act should be issued, which would permit the operation of some or all of the air transportation proposed by the applicants?

The applications to be heard in this proceeding propose passenger service only and incidental passenger baggage and the proceeding does not involve issues relating to the transportation of mail or other types of property or cargo.

For the purposes of this proceeding, transcontinental service means air service between cities on the east and west coasts of the United States and service at intermediate points will be considered only to the extent that such service is incidental to the providing of coast to coast service.

Notice is further given that any person desiring to be heard in opposition to an application consolidated in this proceeding must file with the Board on or before November 28, 1949, a statement setting forth the issues of fact or law which he desires to controvert and such person may appear and participate in the hearing in accordance with § 285.6 (a) of the rules of practice under Title IV of the Civil Aeronautics Act of 1938, as amended.

For further details of the services proposed and authorizations requested, interested parties are referred to the applications on file with the Civil Aeronautics Board.

Dated at Washington, D. C., November 15, 1949.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 49-9321; Filed, Nov. 18, 1949; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 8417, 8714, 8919]

EVANGELINE BROADCASTING CO. INC. (KVOL) ET AL.

ORDER CONTINUING HEARING

In re applications of Evangeline Broadcasting Co., Inc. (KVOL), Lafayette, Louisiana, Docket No. 8417, File No. BP-5668; Radio Station KRMD (KRMD), Shreveport, Louisiana, Docket No. 8919, File No. BP-5983; Eldridge C. Harrell and Delbert Davison, d/b as Lakewood Broadcasting Company, Dallas, Texas, Docket No. 8714, File No. BP-6309; for construction permits.

The Commission, having under consideration a petition filed October 31, 1949, by Eldridge C. Harrell and Delbert Davison, doing business as Lakewood Broadcasting Company, Dallas, Texas, for a continuance of at least 30 days of the hearing in the above-entitled proceeding now scheduled for 10:00 o'clock a. m., November 9, 1949, in Washington, D. C.; and

It appearing, that good and sufficient cause has been shown in the petition for the requested continuance; that all parties and Commission Counsel have consented thereto; and that a grant of the petition would conduce to the proper dispatch of the Commission's business and the ends of justice;

It is ordered, This 4th day of November 1949, that the petition be, and it is hereby, granted; and the hearing on the above-entitled applications be, and it is hereby, continued to 10:00 o'clock a. m., Monday, December 12, 1949, in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9324; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket Nos. 9454, 9455]

BURBANK BROADCASTERS, INC.

ORDER CONTINUING HEARING

In re application of Burbank Broadcasters, Inc. (assignor), Leslie S. Bowden, trustee in bankruptcy (assignee), for assignment of license of standard broadcast station KWIK and construction permit for FM Station KWIK-FM; Docket No. 9454, File Nos. BAL-887; BAPH-121.

In re application of Burbank Broadcasters, Inc., for construction permit to replace expired permit of KWIK-FM; Docket No. 9455, File No. BPH-1575.

The Commission having under consideration a petition filed November 4, 1949, by Leslie S. Bowden, trustee in bankruptcy, acting for the Burbank Broadcasters, Inc., in the matter of its application for construction permit to replace expired permit of KWIK-FM (Docket No. 9455, File No. BPH-1575), and its application for assignment of license of standard broadcast station KWIK, and construction permit for FM station KWIK-FM (Docket No. 9454, File Nos. BAL-887 and BAPH-121), and for

himself, as Assignee, in the matter of said assignment application, requesting a 30-day continuance of the hearing now scheduled in Burbank, California, for November 16, 1949; and

It appearing, that simultaneously with the filing of this petition, petitioner has filed a petition for reconsideration and grant without hearing, or, in the alternative, for waiver of hearing, and for oral argument on the legal questions raised in the Commission's order of September 15, 1949, in the matter of the application of Burbank Broadcasters, Inc., assignor, and Leslie S. Bowden, trustee in bankruptcy, assignee, for assignment of license for standard broadcast station KWIK (Docket No. 9454, File No. BAL–887); and a petition to dismiss without prejudice, and to amend bill of particulars, in the matter of the application of Burbank Broadcasters, Inc., for construction permit to replace expired permit for FM station KWIK-FM (Docket No. 9455, File No. BPH–1575); that additional time is necessary within which said petitions for reconsideration and to dismiss, as aforesaid, may be processed and acted upon by the Commission; and

It appearing further, that petitioner represents all parties to the proceeding, and that Commission Counsel has consented to immediate consideration of said petition, and to an indefinite continuance of the hearing in the above-entitled matters; that an indefinite continuance of said hearing in the above-entitled matters would conduce to the proper dispatch of the Commission's business and the ends of justice; and that petitioner has no objection to said continuance being granted for an indefinite period;

It is ordered, This 8th day of November 1949, that the petition for continuance be, and it is hereby, granted; and the hearing in the above-entitled matters now scheduled for November 16, 1949, in Burbank, California, be, and it is hereby, continued indefinitely.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–9325; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket No. 9267]

NATIONAL BROADCASTING CO., INC. (KOA)

ORDER CONTINUING HEARING

In re application of National Broadcasting Company, Inc. (KOA), Denver, Colorado, for construction permit; docket No. 9267, File No. BP–4685.

The Commission having under consideration a petition filed November 2, 1949 requesting an indefinte continuance of the hearing in the above-entitled matter presently scheduled for November 16, 1949; and

It appearing, that good cause has been shown for the continuance, that petitioner is the only applicant involved in the proceeding, and that none of the parties respondent have filed opposition to the petition;

It is ordered, This 9th day of November 1949 that the petition be, and it is hereby granted, and the hearing presently scheduled for November 16, 1949, is continued until further order.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–9326; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket Nos. 9498, 9499]

MISSOURI BASIN BROADCASTING CO. AND NORTH DAKOTA BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Missouri Basin Broadcasting Company, Minot, North Dakota, Docket No. 9498, File No. BP–7135; North Dakota Broadcasting Company, Inc., Minot North Dakota, Docket No. 9499, File No. BP–7279; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 3d day of November 1949;

The Commission having under consideration the above-entitled applications of the Missouri Basin Broadcasting Company and the North Dakota Broadcasting Company, Inc., each seeking a permit to construct a new standard broadcast station to operate on frequency 910 kilocycles, with 1 kilowatt power, unlimited time, using directional antenna for nighttime operation at Minot, North Dakota:

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended the said applications of Missouri Basin Broadcasting Company and North Dakota Broadcasting Company, Inc., are designated for hearing in a consolidated proceeding with each other at 10:00 a. m., Wednesday, January 25, 1950, at Washington, D. C., upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations or the services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

6. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49–9327; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket Nos. 9443–9445, 9497]

EASTERN INDIANA RADIO CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Eastern Indiana Radio Corporation, Muncie, Indiana, Docket No. 9443, File No. BP–6479; Donald A. Burton, William F. Craig, and Ralph J. Whitinger d/b as Kokomo Pioneer Broadcasters, Kokomo, Indiana, Docket No. 9444, File No. BP–7261; Chronicle Publishing Company, Inc., Marion, Indiana, Docket No. 9445, File No. BP–7305; Marion Radio Corporation (WBAT), Marion, Indiana, Docket No. 9497, File No. BP–7380; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 3d day of November 1949;

The Commission having under consideration the above-entitled application of Marion Radio Corporation, requesting a construction permit to change frequency from 1600 kc. to 1400 kc., change power from 500 w. to 250 w., change hours of operation from daytime only to unlimited time and change transmitter location at Station WBAT, Marion, Indiana;

It appearing, that, the Commission on September 7, 1949, designated for hearing in a consolidated proceeding the above-entitled applications of Eastern Indiana Radio Corporation, Muncie, Indiana, Donald A. Burton, William F. Craig, and Ralph J. Whitinger d/b as Kokomo Pioneer Broadcasters, Kokomo, Indiana, and Chronicle Publishing Company, Inc., Marion, Indiana;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Marion Radio Corporation is hereby designated for hearing in the above consolidated proceeding to be held at 10:00 a. m., Monday, December 5, 1949, at Washington, D. C., upon the following issues:

1. To determine the technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate Station WBAT as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WBAT as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of Station WBAT as proposed would involve objectionable interference with Station WKJG, Fort Wayne, Indiana, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of Station WBAT as proposed would involve objectionable interference with the services proposed in the pending applications in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of Station WBAT as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any of the applications in this consolidated proceeding should be granted.

It is further ordered, That, Northeastern Indiana Broadcasting Company, Inc., licensee of Station WKJG, Fort Wayne, Indiana, is hereby made a party to this proceeding as to all applicants; and

It is further ordered, That the Commission's order of September 7, 1949, designating for hearing in a consolidated proceeding the said applications of Eastern Indiana Radio Corporation, Kokomo Pioneer Broadcasters and Chronicle Publishing Company, Inc., is hereby amended to include the said application of Marion Broadcasting Company.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9328; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket No. 9496]

VERMILION BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Vermilion Broadcasting Corporation, Danville, Illinois, for construction permit; Docket No. 9496, File No. BP-7114.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 3d day of November 1949;

The Commission having under consideration the above-entitled application of Vermilion Broadcasting Corporation for a permit to construct a new standard broadcast station to operate on frequency 1240 kilocycles, with 250 watts power, unlimited time at Danville, Illinois;

It appearing, that, the above applicant is legally, technically and financially qualified to construct and operate the proposed station and the proposed program plans will meet the needs of the areas and populations proposed to be served, but that the proposed operation may involve objectionable interference with one or more existing stations or otherwise not comply with the Commission's rules and standards;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the application of Vermilion Broadcasting Corporation is designated for hearing to be held at 10:00 a. m., Wednesday, January 25, 1950, at Washington, D. C., upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Stations WTAX, Springfield, Illinois, WHBU, Anderson, Indiana, or with any other existing broadcast stations or the services proposed in any pending applications and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That, WTAX, Inc., licensee of Station WTAX, Springfield, Illinois, and Anderson Broadcasting Corporation, licensee of Station WHBU, Anderson, Indiana, are made parties to this proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary,

[F. R. Doc. 49-9329; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket No. 9483]

STATION KCRO

ORDER DESIGNATING THE MATTER FOR HEARING

In the matter of the revocaton of the construction permit of Station KCRO, Englewood, Colorado; Docket No. 9483.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of November 1949;

The Commission having under consideration the written request dated October 26, 1949, filed by Colorado Broadcasting Company, permittee of Station KCRO, Englewood, Colorado, for hearing on the Commission's order dated October 14, 1949, revoking the construction permit of Station KCRO;

It appearing, that the request has been filed in accordance with section 312 (a) of the Communications Act of 1934, as amended, and § 1.402 of the rules and regulations of the Commission;

It is ordered, That pursuant to section 312 (a) of the Communications Act of 1934, as amended, and § 1.402 of the rules and regulations of the Commission, the above entitled matter is designated for hearing on all matters pertinent to the Commission's order of revocation dated October 14, 1949, said hearing to commence on the 7th day of December 1949, at 10:00 a. m.; and that the Commission's aforesaid order of revocation shall stand suspended until the conclusion of the hearing and the Commission's decision therein.

It is further ordered, That Commissioner Paul A. Walker is assigned to preside at the hearing in the above entitled matter.

It is further ordered, That said hearing be held in Englewood, Colorado.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9330; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket No. 9493]

MUSIC BROADCASTING CO. (WGRD)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Music Broadcasting Company (WGRD), Grand Rapids, Michigan, for construction permit; Docket No. 9493, File No. BP-6723.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 27th day of October 1949;

The Commission having under consideration the above-entitled application for a construction permit to change the hours of operation of Station WGRD, Grand Rapids, Michigan, from daytime only to unlimited time and to install directional antenna for night use;

It appearing, that, the applicant is legally, technically, financially, and otherwise qualified to operate Station WGRD as proposed and that the type and character of program service proposed to be rendered would meet the requirements of the populations and areas proposed to be served, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station WGRD as proposed.

2. To determine whether the operation of Station WGRD as proposed would involve objectionable interference with Station WKBH, La Crosse, Wisconsin, or with any other existing broadcast stations and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of Station WGRD as proposed would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

4. To determine whether the installation and operation of Station WGRD as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the areas and populations to receive satisfactory service.

It is further ordered, That, WKBH, Incorporated, licensee of Station WKBH, La Crosse, Wisconsin, is made a party to the proceeding.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9331; Filed, Nov. 18, 1949; 8:49 a. m.]

[Docket Nos. 9490, 9491]

T. M. & J. M. GIBBONS AND HOWARD M. LOEB

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of T. M. Gibbons and J. M. Gibbons d/b as T. M. & J. M. Gibbons, Phoenix, Arizona, Docket No. 9490, File No. BP-7288; Howard M. Loeb, Phoenix, Arizona, Docket No. 9491, File No. BP-7368; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 27th day of October 1949;

The Commission having under consideration the above-entitled applications, each requesting a permit to construct a new standard broadcast station to operate on the frequency 1230 kilocycles, with 250 watts power, unlimited time, in Phoenix, Arizona;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners and of the individual applicant to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations, with particular reference as to whether the proposed operations would provide adequate service to the Phoenix Metropolitan District.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 49-9332; Filed, Nov. 18, 1949; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6241]

LONG BELL LUMBER CO.

NOTICE OF DETERMINATION OF EMERGENCY AND GRANTING OF EXEMPTION FOR USE OF INTERCONNECTION

NOVEMBER 15, 1949.

Notice is hereby given that, on November 14, 1949, the Federal Power Commission issued its order in the above-designated matter approving the use and maintenance of interconnection between facilities of the Long Bell Lumber Company and Gulf States Utilities Company, for emergency use, to December 31, 1950.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-9303; Filed, Nov. 18, 1949; 8:45 a. m.]

[Docket No. G-1294]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

NOVEMBER 15, 1949.

Take notice that on November 7, 1949, Cities Service Gas Company (Applicant) a Delaware corporation with its principal office in Oklahoma City, Oklahoma, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of the following natural-gas facilities:

Approximately 4½ miles of 4-inch gas pipeline beginning at a point of connection with Applicant's 16-inch gas pipeline in the Northwest quarter of Section 32, Township 45 North, Range 32 West, in Cass County, Missouri, and extending to the Stanolind Pipe Line Company in the Northwest quarter of Section 18, Township 45 North, Range 32 West in said Cass County.

Applicant proposes to construct and operate the facilities described above for the purpose of selling and delivering natural gas to Stanolind Pipe Line Company for its use in operating an oil pump station near Freeman, Missouri.

The estimated over-all capital cost of the proposed facilities is $29,275.00, which costs will be financed from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 49-9319; Filed, Nov. 18, 1949; 8:48 a. m.]

[Docket No. G-1231]

UNITED GAS PIPE LINE CO.

ORDER FIXING DATE OF HEARING

On June 27, 1949, United Gas Pipe Line Company (Applicant), a Delaware corporation having its principal place of business in Shreveport, Louisiana, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing it to construct and operate certain natural-gas facilities in the State of Mississippi, subject to the jurisdiction of the Commission.

The facilities are more particularly described in the application on file with the Commission and open to public inspection, and in the notice of filing of application hereinafter adverted to.

Temporary authorization to construct and operate the requested facilities was granted by the Commission on November 1, 1949.

Applicant has requested that its application be heard under the shortened procedure provided for by § 1.32 (b) of the Commission's rules of practice and procedure; and no request to be heard or protest has been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 8, 1949 (14 F. R. 3791).

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held on December 1, 1949, at 9:30 a. m., e. s. t., in the Hearing

Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's Rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of said rules of practice and procedure.

Date of issuance: November 15, 1949.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 49-9304; Filed, Nov. 18, 1949; 8:45 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS

FINAL DELEGATIONS OF AUTHORITY

Section II, paragraph j, of the Notices section is amended as follows:

j. *Interim delegations.* Effective November 7, 1949, and until further notice:

1. The authority delegated to the Assistant Commissioner for Management in paragraph b 1 (b), (c), and (d), is hereby delegated to the Assistant Commissioner for Low-Rent Housing.

2. The authority delegated to the Chief of the Claims Section in paragraph b 3 is hereby delegated to the Director of the Construction Branch, Low-Rent Housing Division.

3. The authority delegated to the Assistant Commissioner for Disposition in paragraph c is hereby delegated to the Assistant Commissioner for War Emergency Housing and to the Deputy Assistant Commissioner for Disposition; the authority delegated to the Assistant Commissioner for Management in paragraph b 1 (a) is hereby delegated to the Assistant Commissioner for War Emergency Housing.

4. The Low-Rent Housing Division is composed of the following branches: Technical, Land, Construction, Cost Analysis Control, Project Planning, Operations Engineering, Occupancy, Housing Facilities, Insurance, and Low-Rent Management Planning, each headed by a Director.

5. The War Emergency Housing Division is composed of the following branches: Sales, Appraisal, Management Operations, Maintenance, and Taxation.

6. The Labor Relations Branch is headed by a Director who reports directly to the Commissioner. The authority delegated to the Director of the Labor Relations Branch in paragraph b 2 remains the same.

7. Any instrument executed by any official pursuant to this paragraph shall be conclusive evidence of the authority of such officer to execute such instrument and of compliance with any conditions precedent to the exercise of his authority.

Approved: October 9, 1949.

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

[F. R. Doc. 49-9306; Filed, Nov. 18, 1949; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24661]

MALT LIQUORS AND EMPTY CARRIERS BETWEEN CENTRAL TERRITORY AND VIRGINIA

APPLICATION FOR RELIEF

NOVEMBER 16, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: B. T. Jones and P. W. Phillips, Agents, for and on behalf of carriers parties to the tariffs listed below.

Commodities involved: Malt liquors, carloads, and empty returned carriers.

Between: Points in Illinois and Wisconsin, on the one hand, and points in Virginia, on the other, over routes through southern territory.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: B. T. Jones' tariff I. C. C. No. 3758, Supplement 302. P. W. Phillips' tariff I. C. C. No. 240, Supplement 101.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-9301; Filed, Nov. 18, 1949; 8:45 a. m.]

[4th Sec. Application 24662]

IRON AND STEEL ARTICLES FROM GENEVA, UTAH TO WESTERN TRUNK LINE TERRITORY

APPLICATION FOR RELIEF

NOVEMBER 16, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-3560.

Commodities involved: Iron and steel articles, carloads.

From: Geneva and other points in Utah.

To: Points in Kansas, western Missouri, and southern Nebraska.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3560, Supplement 124.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-9300; Filed, Nov. 18, 1949; 8:45 a. m.]

[4th Sec. Application 24663]

SAND FROM INDIANA TO DECATUR, ILL.

APPLICATION FOR RELIEF

NOVEMBER 16, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for and on behalf of The Baltimore and Ohio Railroad Company and other carriers named in the application.

Commodities involved: Sand, carloads.

From: Points in Indiana.

To: Decatur, Ill.

Grounds for relief: Competition with motor carriers and wayside pit competition.

Schedules filed containing proposed rates: B & O RR., tariff I. C. C. No. WL-10839, Supplement 76; IC RR., tariff I. C. C. No. A-11296, Supplement 133; Pa. RR., tariff I. C. C. No. 2798, Supplement 93; Wabash RR., tariff I. C. C. No. 7324, Supplement 234.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they in-

tend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-9302; Filed, Nov. 18, 1949; 8:45 a. m.]

[4th Sec. Application 24664]

BEVERAGE AND DESSERT PREPARATIONS FROM CHICAGO, ILL., TO MONROE, LA.

APPLICATION FOR RELIEF

NOVEMBER 16, 1949.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3740.

Commodities involved: Beverage and dessert preparations, carloads.

From: Chicago, Ill.

To: Monroe, La.

Grounds for relief: Competition with motor carriers.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3740, Supplement 110.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 49-9299; Filed, Nov. 18, 1949; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-1113]

MIDDLE SOUTH UTILITIES, INC.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of November A. D. 1949.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the No Par Value Common Stock of Middle South Utilities, Inc.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is listed and registered on the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Los Angeles Stock Exchange with respect to this security is the States of California and Arizona; that out of a total of 4,400,000 shares outstanding, 133,584 shares are owned by 599 shareholders in the vicinity of the Los Angeles Stock Exchange; and that in the vicinity of the Los Angeles Stock Exchange transactions were effected in 2,471 shares during the period from July 6, 1949 until October 22, 1949;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the No Par Value Common Stock of Middle South Utilities, Inc., be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9311; Filed, Nov. 18, 1949; 8:47 a. m.]

[File No. 7-1114]

UNITED GAS CORP.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of November A. D. 1949.

The Los Angeles Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the $10 Par Value Common Stock of United Gas Corporation.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is registered and listed on the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Los Angeles Stock Exchange is the States of California and Arizona; that out of a total of 10,653,302 shares outstanding, 266,975 shares are owned by 1,146 shareholders in the vicinity of the Los Angeles Stock Exchange; and that in the vicinity of the Los Angeles Stock Exchange transactions were effected in 5,708 shares during the period from July 6, 1949 until October 22, 1949;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Los Angeles Stock Exchange for permission to extend unlisted trading privileges to the $10 Par Value Common Stock of United Gas Corporation be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9312; Filed, Nov. 18, 1949; 8:47 a. m.]

[File No. 7-1123]

SOUTH CAROLINA ELECTRIC AND GAS CO.

FINDINGS AND ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of November A. D. 1949.

The Philadelphia-Baltimore Stock Exchange has made application to the Commission pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 for permission to extend unlisted trading privileges to the Common Stock, $4.50 Par Value, of South Carolina Electric and Gas Company.

After appropriate notice and opportunity for hearing and in the absence of any request by any interested person for hearing on this matter, the Commission on the basis of the facts submitted in the application makes the following findings:

(1) That this security is registered and listed on the New York Stock Exchange; that the geographical area deemed to constitute the vicinity of the Philadelphia-Baltimore Stock Exchange is the States of Pennsylvania, New Jersey, Delaware and Maryland; that out of a total of 1,579,135 shares outstanding, 210,793 shares are owned by 6,715 share-

holders in the vicinity of the Philadelphia-Baltimore Stock Exchange; and that in the vicinity of the Philadelphia-Baltimore Stock Exchange 680 transactions were effected in this security involving 56,174 shares during the period from September 1, 1948 until September 1, 1949;

(2) That sufficient public distribution of, and sufficient public trading activity in, this security exist in the vicinity of the applicant exchange to render the extension of unlisted trading privileges thereto appropriate in the public interest and for the protection of investors; and

(3) That the extension of unlisted trading privileges on the applicant exchange to this security is otherwise appropriate in the public interest and for the protection of investors.

Accordingly it is ordered, Pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934, that the application of the Philadelphia-Baltimore Stock Exchange for permission to extend unlisted trading privileges to the Common Stock $4.50 Par Value, of South Carolina Electric and Gas Company be, and the same is, hereby granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9313; Filed, Nov. 18, 1949; 8:47 a. m.]

[File No. 70-2260]

CENTRAL VERMONT PUBLIC SERVICE CORP.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of November A. D. 1949.

Central Vermont Public Service Corporation ("Central Vermont"), a public-utility subsidiary of New England Public Service Company, a registered holding company, having filed an application and amendments thereto, pursuant to the first sentence of section 6 (b) of the Public Utility Holding Company Act of 1935, with respect to the following transactions:

Central Vermont proposes to issue or renew from time to time until June 30, 1950, or until the company shall have received at least $200,000 from permanent financing, whichever shall first occur, short-term notes, i. e., notes having a maturity of nine months or less, up to a maximum amount (together with all other outstanding short-term notes) of $1,050,000. The company proposes to issue such notes in order to finance construction, and states that it expects to complete by spring 1950 additional permanent financing in an amount and of a type at present undetermined. The company had outstanding at October 26, 1949, short-term notes aggregating $850,000. The application states that the company believes that under present conditions it will be able to borrow short-term funds at an interest rate of not exceeding 3% per annum, but that it has no commitment from any bank as to the interest rate. The application further states that in case the interest rate on any of the promissory notes should exceed 3% per annum, the company will file an amendment to its application stating the name of the bank, the terms of the note and the rate of interest at least five days prior to the execution and delivery of said note, and unless the Commission shall notify the company to the contrary within said five-day period, the amendment shall become effective at the end of said period.

The application states that the issue and sale of such securities are not subject to the jurisdiction of the Public Service Commission of the State of Vermont, the State in which applicant is organized and does the major part of its business, and have been authorized by the Public Service Commission of New Hampshire, insofar as the proceeds of the notes pertain to property in New Hampshire.

The application further states that there are no expenses to the company in connection with the proposed transactions other than legal and other incidental expenses, estimated at not more than $500, in connection with the preparation and filing of the application.

Said application having been filed on October 28, 1949, notice of such filing having duly been given in the manner prescribed by Rule U-23 under said act, and the Commission having received no request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding it appropriate in the public interest and for the protection of investors and consumers that said application as amended be granted together with the request of the applicant that the order herein become effective upon its issuance:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act and subject to the terms and conditions prescribed in Rule U-24, that the application as amended be, and hereby is, granted effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9310; Filed, Nov. 18, 1949; 8:47 a. m.]

[File No. 70-2261]

INTERNATIONAL HYDRO-ELECTRIC SYSTEM

MEMORANDUM OPINION AND ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 14th day of November A. D. 1949.

International Hydro-Electric System ("IHES"), a registered holding company, by its Trustee, Bartholomew A. Brickley, has filed an application, pursuant to section 10 of the Public Utility Holding Company Act of 1935, with respect to its acquisition of shares of the common stock of New England Electric System ("NEES"), pursuant to a subscription offer whereunder NEES will offer to the holders of its outstanding common shares the right to subscribe for additional shares on the basis of one additional share for each ten shares held of record as of the close of business on November 17, 1949. The entire issue of 669,508 shares will be underwritten, and the subscription price will be fixed by competitive bidding pursuant to Rule U-50. The subscription offer will expire on December 5, 1949.

IHES now holds in its portfolio 534,157 shares of NEES common stock. The Trustee proposes to exercise the rights to subscribe for 53,415 additional shares and to sell the right to subscribe for 0.7 share. In the event that the acquisition of the additional shares is not approved by the Commission, the Trustee proposes to sell such rights in the open market.

No state commission has jurisdiction over the proposed transaction. In view of the fact that the United States District Court for the District of Massachusetts has taken exclusive jurisdiction of IHES and its assets pursuant to section 11 (d) of the act, the approval of that court is required; and the Trustee has also applied to the court for an appropriate order of approval.

A public hearing was held after appropriate notice. Representatives of holders of the three classes of IHES securities were present, took an active part in the hearing, and at its conclusion expressed their views upon the record.

The Trustee stated that he deems it advisable to acquire the additional NEES shares, among other reasons, in order to protect the substantial investment which IHES now holds in NEES. He pointed out that the proposed issue of common stock by NEES is necessary to enable that system to continue its large construction program on a sound financing schedule; and he expressed the opinion that the exercise of the subscription rights by IHES will materially assist the success of such financing and that, in view of the present market price of NEES shares and the benefits which he expects to flow from the successful marketing of the NEES issue, it will be in the best interests of the security holders of IHES to acquire the additional shares as proposed. He was of the further opinion that such acquisition would have no adverse effect on the progress of the pending proceedings for the liquidation and dissolution of IHES, but would serve to safeguard the System's existing investment in NEES stock and provide some additional income to the System during the pendency of such proceedings. A cash forecast filed by the Trustee indicates that IHES will have sufficient funds to exercise the subscription rights and also to make a further payment of $65 on the principal amount of each of the outstanding Debentures on the next interest date (April 1, 1950).

Conflicting opinions were expressed by the representatives of IHES security holders. Some were in agreement with the Trustee; others argued that the purchase of additional NEES shares would be inconsistent with the expeditious execution of the Commission's outstanding order for the liquidation and dissolution of IHES, and would be incompatible therewith.

After considering all the various contentions we have concluded that the proposed acquisition will neither delay nor complicate the proceedings with respect to IHES or the consummation of the program to bring its system into conformity with section 11 of the act.

In view of these conclusions the matter becomes one of business judgment, and we see no reason to interfere with the judgment of the Trustee in this regard. We find that the applicable standards of the act are satisfied.

It is therefore ordered, That the application of IHES to purchase 53,415 additional shares of NEES common stock pursuant to the subscription offer aforesaid be and the same hereby is approved, subject to the terms and conditions prescribed in Rule U-24 of the Commission's general rules and regulations.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9309; Filed, Nov. 18, 1949; 8:47 a. m.]

[File No. 70-2267]

NEW HAMPSHIRE GAS AND ELECTRIC CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 15th day of November 1949.

Notice is hereby given that an application has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by New Hampshire Gas and Electric Company ("New Hampshire"), a subsidiary of New England Gas and Electric Association, a registered holding company. Applicant has designated section 6 (b) of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than November 30, 1949, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after November 30, 1949, said application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

New Hampshire proposes to issue and sell to the First National Bank of Boston, under a loan agreement dated August 22, 1949, its promissory notes in an amount not exceeding $900,000. Said notes will bear interest at 3% per annum and will be dated as of the date of the issue, but, in any event, not later than December 31, 1950, and will mature December 31, 1952. It is also proposed that two promissory notes of New Hampshire, maturing December 31, 1952, presently outstanding in the amount of $150,000 and $200,000, respectively, bearing interest at the rates of 2¼% and 2½%, respectively, and issued and sold to the First National Bank of Boston under the terms of a loan agreement dated October 15, 1947, will become subject to the loan agreement of August 22, 1949 herein proposed, except, however, that the interest rates on such outstanding notes will remain unchanged.

New Hampshire will use the proceeds from the proposed sale of notes to partially reimburse its treasury for items of capital expense already incurred and to defray, in part, the cost of extensions and improvements to its plant and equipment.

The proposed issuance and sale of notes has been approved by the Public Service Commission of New Hampshire on October 26, 1949.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 49-9314; Filed, Nov. 18, 1949; 8:48 a. m.]

UNITED STATES MARITIME COMMISSION

MEMBER LINES OF PACIFIC COAST-CARIBBEAN SEA PORTS CONFERENCE

NOTICE OF AGREEMENT FILED WITH COMMISSION FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended:

Agreement 4294-9, between the member lines of the Pacific Coast-Caribbean Sea Ports Conference, modifies the basic agreement of said conference (No. 4294) (a) by expanding the number of ports where members may transship cargo; (b) to provide that there shall be no absorption or equalization of insurance differentials as between vessels of the member lines or other carriers, except such as may be approved by the Conference and which are in consonance with the Shipping Act, 1916, and formal decisions of the Maritime Commission; (c) to increase the admission fee from $500 to $1000; (d) to reduce the notice period of withdrawals from membership from 90 to 60 days; (e) to change the quorum and voting requirements; (f) to include a more complete provision governing breaches of the agreement; and (g) to clarify the language of certain other provisions of the conference agreement. Agreement 4294 covers the establishment and maintenance of agreed rates and charges for or in connection with transportation of cargo from U. S. and Canadian Pacific Coast ports to ports in Barbados, British Guiana, British Honduras, East Coast of Colombia, East Coast of Costa Rica, Cuba, Dominican Republic, French Guiana, French West Indies, East Coast of Guatemala, Haiti, East Coast of Honduras, Jamaica, Leeward and Windward Islands, Netherlands West Indies, East Coast of Nicaragua, Surinam, Trinidad and Venezuela.

Interested parties may inspect this agreement and obtain copies thereof at the Commission's Office of Regulation, Washington, D. C., and may submit to the Commission within 20 days after publication of this notice written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 16, 1949.

By the Commission.

[SEAL] R. L. MCDONALD, *Assistant Secretary.*

[F. R. Doc. 49-9335; Filed, Nov. 18, 1949; 8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 13937]

FERDINANDE MARIE-THERESE EPRINCHARD

In re: Bank account and stock owned by and debt owing to Ferdinande Marie-Therese Eprinchard, also known as Therese Eprinchard. F-27-10332-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ferdinande Marie-Therese Eprinchard, also known as Therese Eprinchard, whose last known address is 122 Takinouye, Negishi-Machi, Naka-ku, Yokohoma, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Ferdinande Marie-Therese Eprinchard, also known as Therese Eprinchard, by The National City Bank of New York, 55 Wall Street, New York 15, New York, arising out of a checking account, entitled Miss Therese Eprinchard, maintained at the branch office of the aforesaid bank located at 22 William Street, New York, New York, and any and all rights to demand, enforce and collect the same,

b. Seventy-five (75) shares of no par value common capital stock of International Nickel Company of Canada, Ltd., 67 Wall Street, New York 5, New York, a corporation organized under the laws of the Dominion of Canada, said shares registered in the name of Gunther and Co., and presently in the custody of Swiss Bank Corporation, New York Agency, 15

Nassau Street, New York 5, New York, in an omnibus stock account, entitled Swiss Bank Corporation, Geneva, together with all declared and unpaid dividends thereon,

c. One hundred and fifty (150) shares (50 shares prior to stock split up of June 2, 1949) of no par value common capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, said shares registered in the name of Gunther and Co., and presently in the custody of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York 5, New York, in an omnibus stock account, entitled Swiss Bank Corporation, Geneva, together with all declared and unpaid dividends thereon, and

d. That certain debt or other obligation of Swiss Bank Corporation, New York Agency, 15 Nassau Street, New York 5, New York, in the amount of $1,729.12 as of June 17, 1949 on deposit in a general ruling 6/17 account and any and all rights to demand, enforce and collect the same, and any and all accruals thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Ferdinande Marie-Therese Eprinchard, also known as Therese Eprinchard, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 18, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9336; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 13996]

BOREAS, A. G. ET AL.

In re: Stock owned by and a debt owing to Boreas, A. G., Emilie Mueller, Emil Schniewind and Georg Schniewind.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willy Schniewind, Hermann Schniewind and Hans Carl Schniewind, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Gesellschaft Buergerlichen Rechts Bestehend aus Willy Schniewind, Herman Schniewind, Hans Carl Schniewind, the last known address of which is Haan Rhineland, Diekerstrasse 26, Germany, is an unincorporated association, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Haan/Rhineland, Germany, and is a national of a designated enemy country (Germany);

3. That Boreas, A. G., is a corporation, organized under the laws of Liechtenstein, whose principal place of business is located at Vaduz, Liechtenstein, and is or since the effective date of Executive Order 8389, as amended, has been owned or controlled, directly or indirectly, by the aforesaid Gesellschaft Buergerlichen Rechts Bestehend aus Willy Schniewind, Hermann Schniewind, Hans Carl Schniewind, and is a national of a designated enemy country (Germany);

4. That Emilie Mueller, Emil Schniewind and Georg Schniewind, each of whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

5. That the property described as follows:

a. Eleven (11) Voting Trust Certificates for 743 shares of Class B Stock of the Susquehanna Silk Mills (in dissolution), said Certificates numbered BO 2684 for 25 shares, BO 2397/2401 for 50 shares each, BO 2377 for 68 shares and B 1757/60 for 100 shares, each, registered in the name of Brown Brothers Harriman & Co., and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York, New York, in an account entitled "Herbert Waller, deceased, Elberfeld Account", and any and all rights thereunder and thereto,

b. Four hundred and forty-seven (447) shares of Common Stock of Susquehanna Mills Inc., a corporation organized under the laws of the State of New York, evidenced by certificates numbered NO2929 for 47 shares and N 2489, 2492/94 for 100 shares each, registered in the name of and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York, New York, in an account entitled "Herbert Waller, deceased, Elberfeld Account" together with all declared and unpaid dividends thereon,

c. One (1) Scrip Certificate for 9/25ths of a share of Common Stock of Susquehanna Mills Inc., said Scrip Certificate numbered 4S100, issued in bearer form and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York, New York, in an account entitled "Herbert Waller, deceased, Elberfeld Account", and any and all rights thereunder and thereto,

d. Forty-two (42) non-negotiable receipts in respect of 4,133 shares of Class A, Capital Stock of Susquehanna Silk Mills (in dissolution), said receipts numbered 243/83 for 100 shares each and 284 for 33 shares, registered in the name of and presently in the custody of Brown Brothers Harriman & Co., 59 Wall Street, New York, in an account entitled "Herbert Waller, deceased, Elberfeld Account", and any and all rights thereunder and thereto, and

e. That certain debt or other obligation of Brown Brothers Harriman & Co., 59 Wall Street, New York, New York, arising out of an account entitled "Herbert Waller, deceased, Elberfeld Account", maintained with the aforesaid Company and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Boreas, A. G., Emilie Mueller, Emil Schniewind and Georg Schniewind, the aforesaid nationals of a designated enemy country, (Germany);

and it is hereby determined:

6. That the person named in subparagraph 3 hereof is controlled by, or acting for or on behalf of a designated enemy country (Germany), or persons within such country, and is a national of a designated enemy country (Germany);

7. That to the extent that the persons named in subparagraphs 1, 2, 3, and 4 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on October 31, 1949.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 49-9337; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14006]

BARBARA (BABETTE) AMANN

In re: Rights of Barbara (Babette) Amann under insurance contract. File No. F-28-26561-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Execu-

tive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Barbara (Babette) Amann, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 263 140, issued by the Massachusetts Mutual Life Insurance Company, Springfield, Massachusetts, to Friedrich Amann, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9338; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14007]

EGBERT GEYER ET AL.

In re: Trust agreement dated May 22, 1939, between Egbert Geyer, grantor, and Milton G. Kahle and Mississippi Valley Trust Company, trustees, as amended on November 20, 1939. File No. F-28-9841 G-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ralph L. Geyer and Armin H. Geyer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That Manfred M. Geyer, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941, has been a resident of Germany, is a national of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraphs 1 and 2 hereof, in and to and arising out of or under that certain trust agreement dated May 22, 1939, by and between Egbert Geyer, grantor, and Milton G. Kahle and Mississippi Valley Trust Company, trustees, as amended on November 20, 1939, presently being administered by Mississippi Valley Trust Company, 225 North Broadway, St. Louis 2, Missouri, and Milton G. Kahle, % American Stove Company, 2001 S. Kingshighway, St. Louis 10, Missouri, as trustees,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the persons named in subparagraphs 1 and 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9339, Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14008]

HINRICH HEINEN

In re: Estate of Hinrich Heinen, deceased. File No. D-28-3884; E. T. sec. 6571.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Reinhard Heinen, Margarete Heinen Boedecker, Antke Ernst Hinrichs, Wilhelmine Heinen Reents, Eduard (Edward) Heinen, Gerhard Heinen, Gesine Heinen Ehlers, and Margarete Heinen Ostendorf, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Hinrich Heinen, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by R. A. Boehmer, as administrator c. t. a., acting under the judicial supervision of the County Court of Lancaster County, Nebraska;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9340; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14009]

HENRY CHARLES HENSS

In re: Estate of Henry Charles Henss, deceased. File No. D-28-12715; E. T. sec. 16895.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Lina Adami, Anna Ehrlacher, Karl Henss, Franz Henss, and Greta Lutz, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Henry Charles Henss, deceased, is property payable or deliverable to or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Gordon F. Christie and Rosa L. Henss, as coexecutors, acting under the judicial

supervision of the Probate Court for the District of Bridgeport, Connecticut;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9341; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14010]

YOSHIO KAMII

In re: Rights of Yoshio Kamii under insurance contract. File No. F-39-4425-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Yoshio Kamii, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9 187 311, issued by the New York Life Insurance Company, New York, New York, to Yoshio Kamii, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9342; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14011]

TAKASHI KOMATSU

In re: Rights of Takashi Komatsu under insurance contract. File No. F-39-2444-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Takashi Komatsu, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 9 343 982, issued by the New York Life Insurance Company, New York, New York, to Takashi Komatsu, together with the right to demand, receive and collect said net proceeds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9343; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14012]

(MRS.) TADAYO KOBAYASHI MARUYAMA

In re: Rights of (Mrs.) Tadayo Kobayashi Maruyama under insurance contract. File No. F-39-1766-H-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That (Mrs.) Tadayo Kobayashi Maruyama, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the net proceeds due or to become due under a contract of insurance evidenced by policy No. 1 082 205, issued by the Sun Life Assurance Company of Canada, Montreal, Quebec, Canada, to (Mrs.) Tadayo Kobayashi Maruyama, together with the right to demand, receive and collect said net proceeds (including without limitation the right to proceed for collection against branch offices and legal reserves maintained in the United States),

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9344; Filed, Nov. 18, 1949; 8:51 a. m.]

[Vesting Order 14014]

WILHELMINA NEHRKORN

In re: Estate of Wilhelmina Nehrkorn, deceased. File No. D–28–10586–G–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Max Sieling, Marie Christine Hartmann, nee Sieling, Lina Halfmann, nee Fey, Else Catherina Pleuger, nee Halfmann, Fritz Wilhelm Halfmann, Herman Vesterling, Otto Vesterling, Walter Vesterling, Helen Vesterling, Maria Stiehl, nee Halfmann and Gustav Nehrkorn, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Emma Sieling, deceased, the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Peter Wilhelm Halfmann, deceased, the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Louisa Nehrkorn, deceased, and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Marie Halfmann, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the Estate of Wilhelmina Nehrkorn, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by Edward Harshaw, as Executor, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Philadelphia, Pennsylvania;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Emma Sieling, deceased, the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Peter Wilhelm Halfmann, deceased, the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Louisa Nehrkorn, deceased, and the domiciliary personal representatives, heirs-at-law, next-of-kin, legatees and distributees, names unknown, of Marie Halfmann, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49–9345; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14022]

WENDEL GIESSLER

In re: Bank account and stock owned by Wendel Giessler, also known as Wendelin Giessler. D–28–12698–E–1, D–28–12698–D–1/2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Wendel Giessler, also known as Wendelin Giessler, whose last known address is Germany is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Wendel Giessler, also known as Wendelin Giessler, by United States Savings Bank of Newark, New Jersey, 772–774 Broad Street, Newark 2, New Jersey, arising out of a Savings Account, account number 131350, entitled Wendelin Giessler, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. Twenty-five (25) shares of no par value common capital stock of Radio Corporation of America, 30 Rockefeller Plaza, New York 20, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered RC 48313, registered in the name of Wendel Giessler, together with all declared and unpaid dividends thereon,

c. Twenty-five (25) shares of no par value common capital stock of Public Service Electric and Gas Company, 80 Park Place, Newark 1, New Jersey, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered XO 22973, registered in the name of Wendel Giessler, together with all declared and unpaid dividends thereon, and

d. Two and five-tenths (2 5/10) shares of $5.00 par value common capital stock of South Jersey Gas Company, Atlantic City, New Jersey, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered 012995 for two (2) shares and 15542 for five-tenths (5/10) share, registered in the name of Wendel Giessler, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49–9348; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14020]

FRIEDR. BOHNE

In re: Debt owing to Friedr. Bohne. F–28–30115–C–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Friedr. Bohne, whose last known address is Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Friedr. Bohne, by Davies, Turner & Co., 8 Bridge Street, New York 4, New York, in the amount of $209.20, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9346; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14021]

WILLI FOERSTER

In re: Debt owing to Willi Foerster. D-28-12526-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Willi Foerster, whose last known address is Kunsthalle Foerster, Rothenburg o. Tauber, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Willi Foerster by R. F. Randolph, 269 West 23rd Street, New York 11, New York, in the amount of $291.13, as of October 1, 1949, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9347; Filed, Nov. 18, 1949; 8:52 a. m.]

[Return Order 474]

DOROTHEA BALLARD SMITH MARIGLIANO DEL MONTE

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimants, Claim No., Notice of Intention To Return Published, and Property

Dorothea Ballard Smith Marigliano Del Monte, Westport Road, Wilton, Conn.; Claim No. 35756; August 9, 1949 (14 F. R. 4917); all right, title, interest and claim of any kind or character whatsoever of the Attorney General in and to the trust created under the Last Will and Testament of Frederick Butterfield, deceased; $48,407.02 in the Treasury of the United States.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on November 14, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9358; Filed, Nov. 18, 1949; 8:53 a. m.]

[Vesting Order 14023]

FRANZISKA HAGENS

In re: Bonds owned by Franziska Hagens. F-28-30526-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Franziska Hagens, whose last known address is 6 Nikolaiplatz, Muenchen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by two (2) Cities Service Company Refunding 5% Gold Debenture Bearer Bonds of $1,000.00 face value, each, bearing the numbers M 2877 and M 2878, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under said bonds,

is property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Franziska Hagens, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9349; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14024]

COUNTESS HOLNSTEIN

In re: Debt owing to Countess Holnstein. F-28-29437-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Countess Holnstein, whose last known address is Bautzen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of the Guaranty Trust Company of New York, 140 Broadway, New York 15, New York, in the amount of $31,300.81 as of February 25, 1949, presently on deposit in an "Identified Swiss-German Account", entitled San Juan-Sociedad Anonima Commercial Financiera E Industrial, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Countess Holn-

stein, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C.. on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9350; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14025]

ADOLF F. MARTEN

In re: Bank accounts owned by Adolf F. Marten, also know as Adolph F. Martin. F-28-30367-E-1; E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Adolf F. Marten, also known as Adolph F. Martin, whose last known address is 136 Starnberg, Otto Str., Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation owing to Adolf F. Marten, also known as Adolph F. Martin, by The San Francisco Bank, 526 California Street, San Francisco 4, California, arising out of a savings account, account number 700-790, entitled Adolf F. Marten, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of the Wells Fargo Bank and Union Trust Company, Market at Montgomery, San Francisco 20, California, arising out of a savings account, account number 15075, entitled S. H. Hermann (Funds of A. F. Martin), maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of or owing to, or which is evidence of ownership or control by Adolf F. Marten, also known as Adolph F. Martin, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9351; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14028]

DR. M. DE RUYTER

In re: Debt owing to Dr. M. De Ruyter. F-28-24576-A-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. M. De Ruyter, whose last known address is Dusseldorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation of The Chase National Bank of the City of New York, 18 Pine Street, New York 15, New York, in the amount of $365.00 representing a portion of a custody account entitled H. F. Heye A/C Anglobank Blocked Netherlands Germany, maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dr. M. De Ruyter, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9352; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14029]

GABRIELE SCHADLA

In re: Bank account owned by Gabriele Schadla. F-28-30419-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Gabriele Schadla, whose last known address is 20 Eystrup (Weser) Land Hannover (20) Bahnhofstr 134, Deutschland, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Gabriele Schadla by the Wells Fargo Bank & Union Trust Company, 744 Market Street, San Francisco, California, arising out of a savings account, account number 70203 entitled Frau Gabriele Schadla maintained at the aforesaid bank and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Gabriele Schadla, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9353; Filed, Nov. 18, 1949; 8:52 a. m.]

[Vesting Order 14037]

FRANZ A. SCHMITT

In re: Trust under the will of Franz A. Schmitt, deceased. File No. D-28-1925; E. T. sec. 1766.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elise Schmitt, Kunigunda Spies, Johann Barnabas Spies, Josef Hyazinth Spies, Kunigunda Felizitas Spies, Franziska Spies and Anna Othlie Spies whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next of kin, legatees and distributees, of Anna Schmitt, known as Sister Antoniette, deceased, except Elise Schmitt Callaghan, a resident of the United States, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, except Elise Schmitt Callaghan, a resident of the United States, in and to the trust created under the will of Franz A. Schmitt, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by George Spies, as surviving trustee, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the domiciliary personal representatives, heirs, next of kin, legatees and distributees of Anna Schmitt, known as Sister Antoniette, deceased, except Elise Schmitt Callaghan, a resident of the United States, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 15, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9356; Filed, Nov. 18, 1949; 8:53 a. m.]

[Vesting Order 14034]

ALIX LOUISE SCHENK ZU SCHWEINSBERG

In re: Bonds owned by Alix Louise Schenk zu Schweinsberg. F-28-23760-D-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Alix Louise Schenk zu Schweinsberg, whose last known address is 10, Talstr., Fronhausen/Lahn, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations, matured or unmatured, evidenced by five (5) Wisconsin Central Railway Company First and Refunding Mortgage four per cent Gold Bonds due April 1, 1959, of $1,000.00 face value each, bearing the numbers 424 to 428 inclusive, in bearer form, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with all rights in, to and under said bonds,

is the property within the United States, owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Alix Louise Schenk zu Schweinsberg, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

[F. R. Doc. 49-9354; Filed, Nov. 18, 1949; 8:53 a. m.]

[Vesting Order 14036]

ANTON WALTER

In re: Bank account owned by Anton Walter. F-28-30450-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anton Walter, whose last known address is Niemegk, 38 Bitterfield, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: That certain debt or other obligation owing to Anton Walter, by Seattle-First National Bank, Second Avenue between Columbia and Cherry Streets, Seattle, Washington, arising out of a savings account, account number 9803, entitled Anton Walter, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 4, 1949.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Acting Director,
Office of Alien Property.

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